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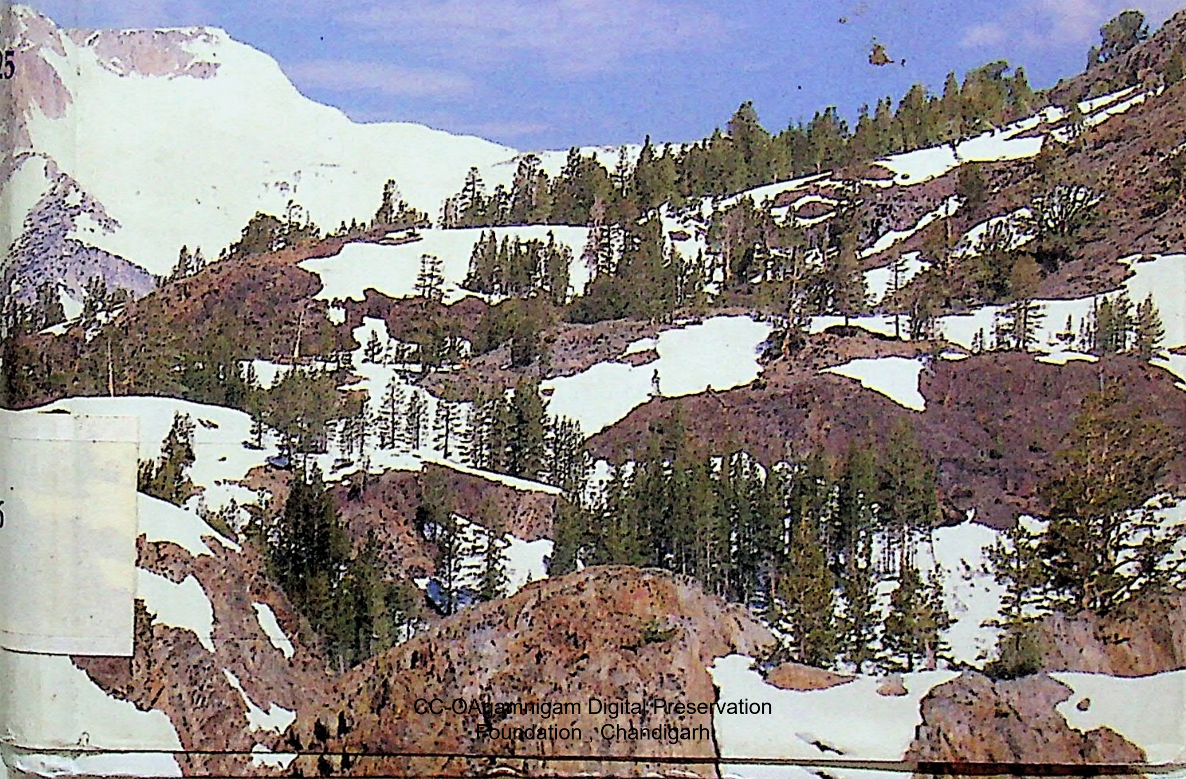
The History of Jammu and Kashmir

1885-1925

Mohammad Saleem Khan



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About the Book

This book is a comprehensive, competent and scholarly treatise on the Dogra period in Jammu and Kashmir state. The present work is his doctoral book which was unanimously recommended for publication by the examiners. The period under study is, undonated by, the most significant period as it marked the transition from medieval to the modern age in the history of Jammu and Kashmir State. A new frame work of administrative structure was provided to the state by the British, most of which continues to function even in the present times.

This book reveals many important aspects of Dogra rule like their administrative structure, land revenue system, rural indeletness, money lending system, begaar, exploitative feudal system, revenue and expenditure of the state, judicial system, police, health, education etc.

The book has at length discussed the British imperial policy towards Kashmir and their various reforms in land settlement, finance, judiciary, defence and departments of public welfare. The book has examined thoroughly how Kashmiri Muslims were exploited by their dogra rulers. The Muslim uprising of 1931 needs to be studied against the background of feudal nature of the Dogra administration.

This book will prove a valuable asset both to scholars and students of colleges and universities in the disciplines of history, economics, political, science, education and sociology.

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THE HISTORY OF JAMMU & KASHMIR

1885-1925

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The History of Jammu & Kashmir 1885-1925

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PREFACE

The state of Jammu and Kashmir, situated on the northern extremity of India, occupies a position of unique and strategic importance in the sub-continent of India, Kashmir, along with Ladakh and Jammu, comprises the state of Jammu and Kashmir. Each region adjoins the other yet possesses its own distinct identity. Topography, culture, religion and ethenic type differ widely.

The Dogra period covers an important landmark in the history of the state. The state was created by Maharaja Gulab Singh in 1846 and was for internal purpose outside the administrative, legislative and judicial sphare of the British Government of India. Gulab Singh and his successor Ranbir Singh, through subject to the paramountcy of the British crown, exercised, with some exceptions unlimited power over their subjects.

The reigon of Maharaja Pratap Singh (1885-1925) is, undoubtedly, the most significant period as it marked the transition from medieval to the modern age in the history of

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Jammu and Kashmir state. The present administrative structure of the state is based, to a very great extent, on the reforms introduced by the British Residency during the same period Since no serious work has no far been done on some important changes which the administrative structure of the state underwent during Pratap Sing's regin, this explains why the present topics has been chosen for study.

This study was undertaken in the year 1979, at the suggestion and guidance of Dr. Mohd Ishaq Khan. It took me five years to collect the relevant research material from regional and national libraries, museums and archives The first chapter deals with the political events in Kashmir during the reign of Maharaja Pratap Singh. The fateful events of his reign left a deep imprint on the history of Jammu and Kashmir State. A new framework of administrative structure was provided to the state, most of which continues to function even in the present times. The second chapter explains the highly exploitative land revenue system under the Dogras during the nineteenth century. The next chapter deals with the British revenue reforms under the ab1e guidance of Sir Walter Lawrence, chapter IV embodies a critical assessment of rural indebtedness in the agrarian system. Chapter V throws valuable light on the financial structure of the state and a number of reforms introduced by the British during the same period. Next two chapters deal with the income and expenditure of the state. Chapter VIII explains the significant changes those took place in the Judicial machinery of the state from the beginning of the Dogras rule till the end of Pratap Singh's reign in 1925. Chapter IX explains the development of police.

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system. The summry and a critical assessment of the period is given in the last chapter.

The book has examined thoroughly the designs of the British imperial Government in the Jammu and Kashmir State. The British diplomacy, always eager to exploit internal dissensions among Indian rulers, set in motion a Chain of events in the State which virtually culminated in the establishment of the British rule. What was the British interest in Kashmir ? What reforms did the British introduce in Kashmir? How far did the reforms alleviate the sufferings of the peasants and artisans? What reforms did the British introduce in financial, Judicial and Police administration? What were the sources of income to the government? How far did the Dogras administration cater to the basic social needs of the people? The present study seeks to answer these and some other question of vital importance. The study also lays emphasis on the fact that the Muslim uprising of 1931 needs to be studied against the background of feudal nature of the Dogra administration.

My grateful thanks are due, first and foremost, to my teacher, and supervisor, Dr. Mohd. Ishaq Khan, whose Valuable guidance, advice and generous help have always done me an immense deal of good. I am thankful to my wife Yasmeen and my sons Shadab and Arbab for having actively helped me through the project. To Yasmeena I owe more than language can express. I shall ever remain grateful to my brother Abdul Rashid Khan, and my Sisters Naseem and Shameem. Thanks are due to Ashraf Sahil, Dr. Manzoor Khan, Chasfida, Raja Khan, Shehla, Sadiq Mir, Jameel and Aftab Khan. I place on record my grateful thanks to Noor

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Mohd Malik, Ghulam Nabi Misgir, and Sheikh Mukhtar, Daanish and Waseem. I am deeply grateful to my friend Mukhtar Ahmad (of IWDP) for extending unfailing help and cooperation. Thanks are also due to the authorities and the staff of the National Archives of India, new Delhi; the National Library, Calcutta; the Research Library, Srinagar; Amar Singh Library, Jammu; the Jammu university Library, Jammu; the Kashmir university Library, Srinagar, and the Jammu and Kashmir state Archives, for extending me all help and facility at their places.

But above all, my sincere thanks are due to Allah who has given me courage to work in spite of troubles.

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Abbreviations

Adm.	Administration
Ann.	Annual
Ass.	Assessment
Chap.	Chapter
Deptt.	Department
Deptts.	Departments
D.N.G.	Date Not Given
e.g.	"exampli gratia" for example
et.al	"et cetra" and others
Extl.	External
F.N	Foot Note
F.N.A.	Figures Not Available
Forgn.	Foreign
Gen.	General
Govt.	Government
H.H.	His Highness
Ibid.	"Ibidem" in the same place

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i.e.	"id est, that is
Infra	'Below'
Intl.	Internal
J&K	Jammu and Kashmir
K.W.	Kept with' archival notation, for Additional papers enclosed with files,
Mil.	Military
MS	Manuscript
N.A.I	National Archives of India
NO.	Number
Nos.	Numbers.
Op. Cit.	"Opera Citatin", in the work cited
P.	Page.
PP.	Pages.
Progs.	Proceedings
Pol.	Political
Pub.	Publications

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Pvt.	Private
P.W.D.	Public Works Department
Rec.	Records
Rs.	Rupees
Sec.	Secret
Sr.	Serial
St.	State.
Supra.	'Above'
Tri.	Triennial
Viz	"Videlicet"; namely
Vol.	Volume

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Chapter I

PRATAP SINGH AND HIS TIMES

Pratap Singh ascended the throne of Jammu and Kashmir State on 12th September 1885[1]. In the words of G.M.D. Sufi, "no ruling Prince of Indo-Pakistan had a more chequered career than Pratap Singh[2]. Born at Riasi on 14th July, 1850[3], he studied Dogri , Persian and English in his early age[4]. When grown up, he was entrusted to the care of State officials and thus acquired a knowledge of State administration[5]. As the eldest son of Ranbir Singh, he considered himself to be the heir-apparent, but his father liked his two younger brother Ram Singh and Amar Singh, more than him[6] and even had planned in 1882 to declare Amar Singh his heir-apparent. But the Government of India, following the general Hindu law of Indian states, favoured Pratap Singh's accession to the throne of Kashmir.[7]

The administration of Jammu and Kashmir State deteriorated during the last few years of Ranbir Singh's reign. The land revenue system which was based on the exploitation of the peasantry by the ruling class, had rendered unspeakable sufferings

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upon the impoverished masses[8]. The conditions had further worsened during the famine of 1877-79, one of the most severe famines in the history of Kashmir. Nearly three-fifths of Kashmir's population was affected by the catastrophe[9]. In spite of this, the State imposed heavy land taxes on the peasantry who were literally crushed.

The Shawl industry which was a main source of revenue to the State in the earlier phases of the Dogra rule in Kashmir had totally declined by the end of Ranbir Singh's reign[10]. The oppressive taxation policy followed by Gulab Singh's and Ranbir Singh was the main cause for its decline.[11]. As a result, thousands of people suffered terribly.[12]

The Sate imposed high taxes on all trades and professions and in the words of Sir Walter Lawrence, 'everything save air and water was brought under taxation'[13]. In spite of this, Pratap Singh found the treasury empty and the pay of State employees in arrears[14].

The main Cause of the State's bankruptcy was that more than half of the State's budget was spent on army and the royal family[15].

Pratap Singh inherited a vast army; one of the largest in the British India. Its strength exceeded twenty-five thousands[16]. Besides royal bodyguards, fort guards and poonch force accounted for five thousands[17], the State had to spend almost two-fifths

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of the State's income on the maintenance of the armed forces.

There was no check on the expenditure of the royal family which took a major portion of the State's funds[18].

Besides, the accounts department was in confused order and there was no organised machinery to control this departnment[19].

The system of revenue collection was rather, highly complicated and defective[20]. The revenue was collected in a manner, which combined the greatest risk of loss to the ruled with the greatest certainty of extortion from the ruler[21].

The revenue officials played a destructive role during this period and embezzled a major portion of the State's revenues[22].

Ranbir Singh suffered from several diseases during last few years of his region. His illness had an adverse affect on the State administration[23] which now came under the virtual control of Wazir Punnu, the most powerful figure in the Maharaja's council. The Wazir was a tyrant[24] and the people suffered greatly under his misrule.

Thus Pratap Singh inherited a weak administration, an empty treasury and a vast but undisciplined army.

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An important event which took place immediately after Pratap Singh's accession to throne, and which made a great impact on the State administration, was the appointment of the British Resident in Kashmir [25]. The State of Jammu and Kashmir, since its formation in 1846, constituted one of the most important places in the British imperial Defence System. Its northern boundaries touched China, Russia and Afghanistan[26]. During a century of political expansion and military brinkmanship[27], the frontiers of Russia and British India never came closer to collision than they did in Kashmir during the last quarter in the 19th century[28]. After the Crimean War, the Czarist regime adopted a policy of Russian expansion in Asiatic territories[29]. Russia occupied Chinkent in 1864, Tashkent in 1865, Kohj in 1866. Yani Kurgan in 1867, Samarqand and Khanate of Bukhara in 1868[30]. Thus, within a span of four years, the Russian influence was felt in Afghanistan, Chitral, Gilgit and Pamirs, as whole of Central Asia had come under the Russian suzerainty[31].

The Russian acquisitions of Central Asia created panic in the British circles and it was felt that Russia was fast marching towards India.[32]. The Russian advance alarmed the British and as a counter move, they took effective steps in the consolidation of what they termed as 'the scientific frontier' of Indian Empire[33]. But a large portion of the territory[34] to the north of Kashmir was still open to Russian threat[35] and the British wanted to seal it against the Russian

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expansion [36]. Gilgit was 'the defensive nucleus of Dardistan [37], and Maharaja Ranbir Singh had already brought it under his control, and had exercised some sort Of suzerainty over the chiefs of Yasin, Chitral, Hunza, Nagar and a few other states[38]. But the Government of India doubted the ability of the Kashmir Durbar to, Control the remote and unruly tribes on their northern frontiers,

Thus the Government of India was eager to take any step that would strengthen its hold over the administration of Kashmir State. Most important step in this direction, it was felt, was the appointment of a British Resident in the State who would keep a close watch on all the activities on and beyond the Kashmir borders. The British had so far succeeded in appointing an 'officer on Special Duty' in Kashmir in 1852[40] and a British agent at Leh in 1867[41]. A British Agency at Gilgit was also established in 1877[42], which was withdrawn after four year. Ranbir Singh had resisted the appointment of British Resident in Kashmir throughout his life[44]. He had considered it as the "interference with his interior administration" and "adiminution of the dignity of his state".[45] The Government of India, however, just after the death of Ranbir Singh, announced its decision to appoint a Resident in the State. Oliver St. John was appointed as the Resident in September, 1885 [46]

No sooner had the British Resident Settled in Kashmir than Panjdah incident occurred [47]. The British

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troops in India were put on alert; Gladstone, the British Prime Minister, secured a vote of credit for £ 11 million from parliament, [48] and Lord Dufferin, the Viceroy, began seriously to consider sending the army to hold Herat[49]. The punjdah crisis of 1885 led the Government of India to increase its regular army by 30,000men[50]. The addition was made at a time when the Indian finances were no longer in a sound condition[51].

The crisis led the Government of India to put pressure on the Maharaja for rapid reforms in the State adminstration[52]. The British were basically interested in the reorganization of the State forces, so that their support could be utilised against the Russians or any tribal uprisings instigated by the Russians. The British also advocated reforms in various branches of the State administration. The construction of good roads, particularly, was emphasized[53], though not without strategic consideration by the imperial power.

Speaking on the occasion of his formal accession on 25th September 1885, Pratap Singh said, "I have before me the difficult task of introducing substantial reforms in the administration of the country ...... Armed with purity of intentions and firmness of purpose I may reasonably entertain the hope of being able to clear the administrative agency of all corruption and incompetency.... and shall conduct my administration so that the tiller of the soil

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will enjoy a fair share of skill and industry, that every facility will be given to commerce by improving means of communications and removing unnecessary and vexatious restrictions ...... that adequate measures will be taken to give my subjects the benefits of sound and useful education, that ample provisions will be made for the relief of the sick and suffering, and that real merit and worth in my subjects will be recognised and fostered without any distinction of race, rank, creed or colour [54].

Soon after his accession, Pratap announced a number of reforms[55]. He abolished the taxes called 'ravangi',[56] 'thanapatti'[57] and 'Harkara'[58]. The taxes on the sale of horses and *bugghis*[59] were also abolished. The practice of collecting custom duties on the import of rice into Srinagar was also discontinued[60]. The practice of requiring every ten houses in the Jammu Province to provide one sepoy, forced enlistment and the practice of forcing the families of deserters to provide substitute, were done away with[61]. The accumulation of arrears was avoided by making monthly payment of salaries to all civil and military servicemen[62]. Numerous vexatious duties on manufacturers and traders were abolished and steps were taken to encourage trade between the State and British India [63]. The State monopolies on the paper and lime were removed. Some steps were taken to cheek the corruption among the civil and revenue officials, and bribe taking was declared illegal and liable to severe punishment[64]. Stringent orders were issued to prevent high officials and influential men from influencing

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the decisions of courts of justice. High Schools were established at Jammu and Srinagar, and Municipal Constitution was also granted to these towns[65]. Leave code. Educational Code and other rules calculated to promote public interests were provided. Attention was paid towards the development of means of communications. The construction of the Jehlum Valley Road made considerable progress.

The Government of India was not satisfied with these reforms and asked for more rapid reforms. The political condition on the northern borders was deteriorating rapidly for the British and they eagerly desired some drastic changes in the State administration. But in spite of all his promises, it was beyond the power of the Maharaja to reform the State administration, for he had hardly the resources to depend upon. The feeble efforts made by him were hardly expected to change the situation materially. In fact there were many glaring defects the Dogra administration suffered from. Most of the officials of the State Government were incapable, corrupt and devoid of any administrative acumen. The Maharaja did not possess a strong character and believed, like his father[66], that the British would ultimately annex the state of Jammu and Kashmir. This fact made him more suspicious of British designs and somewhat dependable on his courtiers. He was surrounded by an inner corterie of personal advisors[67] among whom sycophants, quacks, fortune-tellers rated the first. Credulous, devoid of any political foresight and

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understanding of the basic issues of administration and purile in his orthodoxy, he could muster little courage to exert himself effectively in the affairs of the State. The administration thus fell to the lot of the court grandees who hardly made any constructive contribution to the welfare of the state but rapidly sapped the government of its resources.

Pratap Singh, on the eve of his accession to throne, had appointed Dewan Anant Ram his Prime Minister and Nilamber Mukerjee, the Finance Minister. Anant Ram was well experienced in the art of administration[68] and Nilamber was an efficient financer[69], but the ministry fell just within six months. The basic cause for its downfall was the opposition of the British Resident. Oliver St. John, the Resident, in his report to the Government of India, described the Maharaja as weak and bad ruler and Anant Ram as the titular Prime Minister. He also pointed to the deteriorating conditions of the Kashmir state[70]. The Resident also pointed to the changes that the Maharaja brought about in the administrative set up which had adverse effects on the working of the Government machinery. Thus Sheikh Wahab-ud-din, the only Muslim member of the Council, was promptly dismissed from the State services; Raja Moti Singh and Maharaja's two brothers Amar Singh and Ram Singh were excluded from all participation in the affairs of State; and that the Kashmir administration was entrusted to the care of corrupt body of high officials like Gobind Sahai, his son and cousin,

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Lakhpat Rai and Amar Nath respectively, and Muhanand Ju, a Kashmir Pandit. The latter's corrupt practices, in particular, had caused a good deal of concern to Maharaja Ranbir Singh. St. John believed that the Prime Minister was 'weak and cunning' while Nilamber Mukerjee was 'without practical experience of administration'[71]. These facts in the opinion of the Resident, established beyond doubt the Maharaja's 'unfitness to rule'; and precluded 'all hope of any material progress' under him.

Pratap Singh, under the pressure of the Government of India., replaced Anant Ram by Dewan Gobind Sahai as his prime Minister in March 1886[72]. Nilamber Mukerjee retained his post as the finance minister. Both of the were made jointly responsible for the administration of the State[73].

The Resident was not satisfied with this change either; he disliked the new Prime Minister from the very beginning. In his opinion, the new Prime Minister was notoriously corrupt, with no experience in the administrative work, while Nillamber was believed to be a mere theorist, anxious perhaps for reforms, but ignorant how to carry them out[74].

The entry of T.C. Plowden in the State politics as the new Resident in 1886, created more problems for the Maharaja. A diehard British bureaucrat, openly hostile to the Dogras and a past master in intrigue,[75] he immediately. in the words of a contemporary

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writer, set out to undo the Dogras[76]. Kashmir administration suffered a lot in 1886 due to the interference of over-ambitious Resident[77]. Plowden, least concerned about the poor masses, gave priority to the works of imperial defence viz., the speedy construction of roads and reorganization of State forces[78]. But these reforms under the existing weak government with its meagre resources in comparison to the enormity of the task were, however, bound to take time.

The administrative affairs of the State were also badly affected by the mutual differences between the Prime Minister and the finance Minister. The pivot of the Gobind Sahai ministry was Nilamber Mukerjee whose influences with the Maharaja made the Dewan very jealous of him. Gobind Sahai always complained that he was 'Dewan only in name' and the real power was exercised by Nilamber[79]. The coolness between the two further increased when Nilamber asked Gobind Sabai for an account of 65.000 rupees, which the latter had embezzled during his visit to Calcutta[80]. Nilamber's main support was the Maharaja but here again the private servants stood between the two.

Gobind Sahai wanted to get rid of Nilamber so he suggested to the Government of India three courses as a remedy for the dual government, which his ministry involved;

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I) the appointment of a single Dewan with real powers;

II) the constitution of a council; or

III) The transaction of all business by the Maharaja[81].

The Resident rejected the last alternative without any consideration. He also rejected the first, as there was none at the Durbar fir for the appointment. The second alternative was preferred by both Plowden and Gobind Sahai, though from different motives, and they agreed that a council with a President as its head would be the best arrangement in Kashmir [82].

The Maharaja met Lord Dufferin, the Viceroy, at Lahore in November 1886[83]. Dufferin asked the Maharaja to entrust the administration of the State to a council composed of Rajas Ram Singh and Amar Singh and Diwan Lachman Das[84]. Amar Singh had been very popular in the British circles, while Lachman Das was considered by the Resident as the most capable man in the whole state. The Maharaja, accordingly, dismissed Gobind Sahai ministry in January 1887 and invited Diwan Lachman Dass to form a new one[85].

The Lachman Das ministry was somewhat hostile to the Maharaja. In the new government, Lachman Das was the President of the Council and

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the Prime Minister of the State. Ram Singh and Amar Singh were the members of the Council. Lachman Das was empowered to conduct the administration of the State in consultation with Ram Singh and Amar Singh. He was given the authority to appoint or dismiss all servants of the State whose salaries did not exceed 300 chilki rupees [86].

The new ministry began an examination of the actual condition of the State, both financial and otherwise. The State finances were in a bad state. The council partially succeeded in reforming the financial condition of the State.

The Maharaja was alleged to have been a man of extravagant habits, so the Council made restrictions on his financial powers [87].

The Council took severe measures against the corrupt private servants of the Maharaja,. like Miran Baksh. Sawal Singh. and even Gobind Sahai who had embezzled a good amount of state funds [88]. Miran Baksh and Sawal Singh were punished and Gobind Sabai's [89] property in State was confiscated.

The Council also made some progress in other direction. The Jehlum Valley road was opened for wheeled traffic as far as Garhi [90] Wingate started his work of Land Settlement at Jammu in April 1887 [91]. In August, Lachman Das made a proposal for the construction of a railway link from Sialkot to Jammu. Later an agreement was concluded between the

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Government of India and the state, according to which the State agreed to finance the cost on Railways[92]. Medical Department made good progress under Surgeon-Major Deane[93]. But these reforms could not avert the downfall of Lachman Das, which came in early 1888.

The causes of downfall of Lachman Das were three-fold; Amar Sing's ambition to become Prime Minister; Pratap Sing's opposition to Lachman Das and, the state's bankruptcy.

Raja Amar Singh always considered himself more capable than the Maharaja, not mentioning Lachman Das and others. He, therefore, became hostile to Diwan and aspired to become the Prime Minister himself.

Maharaja hated Lachman Das and wanted to get rid of him. The Maharaja took Diwan's actions against his private servants and Gobind Sahai as attack on his person. He also got the support of Amar Singh against the Diwan which he badly needed at this crucial moment.

The burden of expenditure, entailed upon the State exchequer on account of the reforming zeal of the Resident and the Council, had made the State completely bankrupt[94].

After the dismissal of Lachman Das ministry, the Government of India received two proposals from

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Kashmir for establishment of new Council; one from the Resident and other from the Maharaja.

The Resident recommended that the authority of the Maharaja be set aside, declaring him to be unfit to rule. 'Maharaja may reign but not govern', was the Resident's plea. He firmly believed that a drastic reduction of the Maharaja's authority was an essential preliminary to any form of government in the Kashmir State. He presented three plans for the reorganization of Kashmir administration: the first was to appoint Amar Singh as the Prime Minister of the State; the second was to bring in a Prime Minister from elsewhere; and the third plan was to continue the existing council for next three years, making the British Resident its temporary head and strengthening it by the addition of two selected Indian officers. Besides, Plowden insisted on the immediate removal of the band of incompetent, corrupt and mischievous men who were at the bottom of most of the intrigues in the State, and the appointment of an adequate number of trained Indian officials on reasonable salaries who could be trusted to carry out the orders given to them[95].

In thus recommending a complete reconstitution of the State government, Plowden urged the Government of India to interfere in the State's affairs on the plea of mal-administration. He also emphasized that the deteriorating conditions of the Kashmir State affected the states on its northern

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border beyond its limits, and thus became an injurious and disturbing element in the scheme of frontier defence [96].

Pratap Singh's scheme for the reorganization of Kashmir administration was thus: the appointment of a council, a consultative one, composed of a President, a vice-president, three members and a secretary. The Maharaja chose himself to be the President of the new council. Amar Singh was appointed Vice-President, who was also to be the Prime Minister with executive power. Ram Singh and Nilamber Mukerjee were appointed as Members, with Diwan Janki Prashad as Member-Secretary. Amar Singh was entrusted with the Judicial and foreign departments; the charge of Military department was assigned to Ram Singh; Nilamber Mukerjee was given the charge of the Revenue department; while Diwan Janki Prashad was charged with 'Miscellaneous functions[97].

The Viceroy accepted the proposals of the maharaja and asked him to form a council. The Maharaja, accordingly, formed a council of seven members, and made certain modification in respect of the composition of his council[98]. He appointed Diwan Amar Nath as a member who was placed in the charge of the 'Nizamat' departments. Nilamber Mukerjee was not, however allowed to return to the State, while Ram Singh, jealous of Amar Singh, did not take any part in the State administration.

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Plowden opposed the formation of new State Council[100]. The Viceroy, who did not like his over-ambitious policies, transferred him to Berer and appointed Col. Perry Nisbet, the Commissioner of Rawalpindi, as the new Resident in the State[101].

The Maharaja in collaboration with the new Resident, who was his personal friend[102], introduced some reforms in the State administration. The Jehlum-Valley road made considerable progress. Pure water was supplied to Jammu City. The State force was trained by a few British officers. [103]

Between 1885-1889, the political conditions had further deteriorated on the northern borders, During these years, the Russian menace remained the most dominant factor in Indian military policy[104]. Gen. Roberts who was Commander-in-Chief of India, fully exploited the situation on the North-west frontier and succeeded in changing the British policy towards the frontier states. His entire scheme of military reform was dominated by the single consideration of how to meet Russia if war came[105].

The steady advance of Russia in Central Asia drew the attention of the Government of India to the question of defence of the Northern frontier. Lord Dufferin, the Viceroy, appointed a committee in 1885 in order to chalk out a complete and through plan for the defence of north-west frontier.[106] The defence committee recommended that precautions should be taken to meet, or forestall, an isolated attack upon

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Kashmir. The Viceroy considered the desirability of establishing a British cantonment in Kashmir[107]. Sir Roberts agreed with the recommendations of the Defence Committee and, therefore, suggested that the British control be extended over the country round Chitral and Gilgit in order to secure the approaches to the important passes. He stressed the strategic importance of both Gilgit and Chitral in any scheme of Indian defence and urged upon the Government the necessity of completing the Kashmir road upto Chirtal on military grounds [108]

Col. Lockhart, the Deputy Quarter Master General, made an expedition via Gilgit and Chitral to explore the passes of Hindu Kush, and later he submitted his recommendations in 1888 for the defence of the frontier. He stressed the importance of Giligit as the defensive nucleus of Dardistan and suggested the establishment of a British Agency at Gilgit, and appointment of Indian agent in Chitral to ensure the loyalty of Mehtar and that the defence of Gilgit should be directly assumed by the Government of India[109].

Thus the reports of the Defence Committee and Lockhart made it clear that the Kashmir army was unable to defend her territories against the possible onslaught of the Russian forces, and that the Government of India should take some solid step to defend Kashmir State. The British were eager to check the Russian advance and to bring the

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territories north of Kashmir, which so far were considered neutral, under their influence.

Mortimer Durand, the Foreign Secretary, also recommended the re-establishment of Gilgit Agency. He observed that the establishment of Russian posts within striking distance of the Indian Empire necessitated a thorough reconsideration of British future course of policy. He was a strong advocate of bringing Kashmir under the imperial defence system[110]. The authorities at whitehall[111], the Viceroy and the members of his Council, all were favourably impressed by Durand's memorandum who was regarded as an expert on the frontier problems and his proposals were taken seriously by the British Government.

Besides Russia, Afghanistan and China also created some anxiety in the British circles. Amir Rahman of Afghanistan asserted his claim to suzerainty over Chitral, Bajaur, swat and Dir, [112] while China claimed suzerainty over the Hunza State and regarded it as a border district of sinkiang province[113].

The process of bringing the Kashmir State under the British control was accelerated by the reports of intrigues along the Kashmir frontier. There was a strong opinion among the British circles that the Russians were contemplating an advance to occupy Yasin, and that the rulers of Chitral and Yarkand had concluded an alliance with Russia[114]. The trans-

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caspian Railways was making a rapid progress, and it was feared that on its completion, the Russian forces would be massed in central Asia 'with a view to threatening India.'[115]. Three Russian Officers, disguised as Merchants were reported to have visited Kashmir and taken notes of the different routes of the State. The situation became more complicated when Dalip Singh, Ex-Maharaja of the Punjab, entered the vortex of Russian politics[116]. A Russian Mission under Captain Gromchevsky visited Hunza in 1888 and it greatly alarmed the British[117]. Gromchevsky is said to have told Safdar Ali, the Mir of Hunza, that the Czar intended establishing a Military post at Baltit, a few miles away from Gilgit, with 300 rifles, 2 guns and a Russian officer to train the people of Hunza in the latest development of warfare

The most important report of intrigue reported to the Government of India was regarding treasonable letters of the Maharaja. On February 25, 1889, a batch of 34 letters, written in Dogri and alleged to be in Maharaja's own hand-writing, fell in the hands of the Resident[119]. Some of them disclosed the Maharaja's intrigues with Russia and Dalip Singh; others brought to light several offers of large sums of money to certain individuals for removing by death or otherwise such men as Plowden, the erstwhile Resident, the two brothers of the Maharaja, and one of his Maharanis[120].

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When the matter was reported to the Government of India, it asked the Resident to make a full enquiry into the matter. Perry Nisbet, the Resident, had no doubt about the authenticity of these letters which was vouched for by Raja Amar Singh[121]. According to the Resident, the Ex-Diwan Lachman Das had obtained some of these letters from Raja Ram Singh and others from. Miran Baksh and Ramanand. When the Diwan was dismissed in March 1888, he handed over them over to Mr. Spitta, a barrister, who then passed it to Sardar Dyal Singh, proprietor of the 'Tribune'. The Sardar tried to sell the letters, through his agent Har Sukh Rai, to the Maharaja for 40 thousand rupees. The Maharaja, it is said. refused to pay more than 30 thousand rupees. Thereafter Har Sukh Rai offered the letters for sale to Nisbet, who paid him 40 thousand rupees after receiving sanction from the Government of India. Thus the resident was firmly convinced that the letters discovered were genuine and, therefore, Pratap Singh should be deprived of all powers. Instead, the administration should be entrusted to a Council, composed of the Maharaja's brother and other members approved by the Government of India[122].

The Maharaja flatly denied of having sent any treasonable letter either to Russia or to Dalip Singh. He protested, "I could never write such nonsense.................... who is in Russia to read Dogra vernacular?.... ...who is the fool in the world to commit

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such base conspiracies to writing?.... would not the whole thing have been managed orally?" [123]

The Government of India attached little importance to the Maharaja's 'letters.' 'As it had decided firmly to bring the administration of the State under her control, the episode of letters was made an occasion for a radical change in British Policy towards the State.

With the purpose of establishing a stable and efficient government in Kashmir, the Government of India asked the Maharaja to refrain from all interference in the State administration[124]. While the Maharaja was allowed to retain his rank and dignity as chief of the state, full powers of the government were vested in a council composed of the Maharaja's brothers and three or four officials selected by the Government of India[125].

The Viceroy refused to allow English officer to serve upon the new council, as he was anxious to avoid creating the impression that he intended to annex Kashmir . He wanted to take every measure on the ground of protracted misgovernment in the state. The council was to have full powers of administration, but these powers were to be exercised only under the guidance of the British Resident[126]. The Government of India declared that the Resident shall not take a direct and open share in the administration. The idea was to maintain a

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'responsible native government, under the general control and guidance of the Resident[121].

The decision of the Government of India about the administrative change was communicated to the Maharaja on April 8, 1889[128]. Some contemporaries allege that the Maharaja signed the *Irshad**---- edict of renunciation, under pressure, threats and in haste. The Maharaja, however, received it and after the conclusion of meeting with the Resident, told him that he would "think it over" and soon give an answer. The Resident was therefore obliged to remind him that what had been communicated was an order of the Government of India and no reply to it was wanted[129].

Thus, the personal rule of Maharaja Pratap Singh came to an end.

The Council was established in April 1889, on the pattern of the post-Mutiny Govenor-General's Council in India and 'portfolio system' was also adopted on the same pattern, though lesser members were appointed. The council consisted of five members[130] Raja Amar Singh became the President of the council and the Prime Minister of the State. He was also given the charge of the Foreign Department. Raja Ram Singh was given the charge of the Military Department, Pandit Suraj Kaul of the revenue, Pandit Bhag Ram of the judicial, and Ghulam Mohiuddin Khan of the 'General' Departenment[131].

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In the capacity of the head of the State administration, Amar Singh became the channel of communication between the council and the Resident as well as with the native states, except in political matters which were conducted through the Resident[132]. He was empowered to call for and examine all proceedings except of the judicial and revenue courts and refer them to council for review. All the official letters from departmental officers to the Resident, were to pass through him and were countersigned by him. All the appointments made by the council were confirmed by sanads bearing the Resident's seal[133]. The Resident was also vested with the custody of all state documents and the authority to sign all orders for the withdrawal of money from the reserve treasuries after such withdrawals had been sanctioned by the reserve treasuries after such withdrawals had been sanctioned by the council[134]. He was also empowered to bestow *Khillats*, awards and charitable grants within the budget provisions sanctioned, scrutinise grants of *jagirs* and *muafis* or "submit to the council any change thought desirable in the terms of the existing *jagirs* or *muafis*."[135].

The Military member was also the Commander-in-Chief of the State forces, He was responsible for the administration of the Military Department and all financial transactions of the Department were subject to his approval[136].

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The Revenue member, also known as the Finance Minister was incharge of the Revenue Department and all monetary transactions carried on by the State Council proceeded through him[137]. In addition, the Revenue member had under his control the following:

1. Land Revenue collections in cash and kind.
2. *Jagir*- and Muafi tenure.
3. Land Revenue Settlements
4. Forests.
5. Adjustment of outstanding balances.
6. Powers of court of Appeal in Revenue cases and control of Revenue courts.
7. Stamp Revenue.
8. Control of Treasuries (except Reserve Treasuries) Audit of Accounts and Budgets.
9. Charitable Institutions[138]

All rules and regulations concerning the above matters were framed by him with the approval of the State Council[139].

The Judicial member, who was the Secretary of the State Council, was required to run the General

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administration of Education Department, Jails, Health and the Judicial Departments[140]. It was his duty to receive all papers of these departments concerning finance and general administration for discussion in the State Council[141].

The General member was in-charge of the public works department Municipalities, *Modikhana*[142] stables, printing presses, Telegraph and post offices[143] After the death of Ghulam Mohiuddin in April 1892, the General Department, was renamed the 'Home Department,' [144] and the General member was thereafter called 'Home Member' or 'Home Minister.'

The extensive powers of the government vested with the Council and its President were, however, only nominal and the real power lay with the British Resident under whose supervision and control the Council functioned and who was final arbiter and authority in all matters of administration [145]. The members of the council were mere puppets and hardly in a position to accomplish anything except to carry out the whims and dictates of their benefactors [146]. According to the constitution of the Council, the members held the charge of their respective departments, subject to the general control of the Resident[147]. He could veto any resolution passed by the council or suspend action thereon pending further explanation[148]. Even the grants of the *Nazul*[149] property and *Nazarana could* only be made

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by a formal resolution passes in the State Council with the approval of the resident[150].

Maharaja Pratap Singh was not to interfere with the function of the State Council, nor was to have any voice in the administration of the State,[151] though he would continue to enjoy the honorary rights and the position of the Maharaja[152]. The State Council too was barred to interfere with the private affairs of the Maharaja, the palace, the Jagirs and the other grants of the movable and immovable property he had made[153]. The State Council could not alter any existing agreement or treaties without the previous approval of the Maharaja and assign *jagir* grants or immovable property or make any rules on these matters without the consent of the Maharaja[154].

Until 1891, Pratap Singh continued to appeal to the Government of India for his restoration, and availed himself of every opportunity to exhibit his fidelity to the Queen and her representative in India[155]. The Maharaja did not participate in the task of reorganization and hardly cooperated with the State Council. He complained to Lord Lansdowne, the Viceroy, that he was forced to resign and therefore sought his help for the restoration of powers. Even an effort was made by the Indian Press on behalf of Pratap Singh to secure his reinstatement. Appeals were even made for his restoration to the House of commons by William Digby of the Indian political Agency in London, and by Charles Bradlaugh, a

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British Member Parliament[157]. . But in political circles in London, Digby and Bradlaugh could not obtain much support[158]. Their agitation in favour of the Maharaja was even rejected as paid propaganda.

It was only after the defeat of Bradlaugh's motion that Pratap Singh changed his attitude and began to cooperate with the new Council. Lansdowne, too, detected during his visit to Kashmir in 1891 that the Maharaja, though deposed, was nevertheless still a force to be reckoned with in the State. Perry Nisbet who had played a vital role in the Maharaja's deposition, was replaced by Col. W.F. Prideaux who favoured the restoration of some powers to the Maharaja[159]. Lord Lansdome, therefore, made up his mind that time had come when a change should be made in the Kashmir administration[160].

In 1891, the State Council was reconstituted[161]. Pratap Singh became the President of the Council. Raja Ram Singh retained the office of Prime Minister and Vice-President[162]. The constitution of the council otherwise remained unchanged, and it continued to function under the strict supervision of the Resident who was to guide the State administration in all matters and all future differences of opinion between the Maharaja and the Council were to be referred to him[163]. The Maharaja was made a G.C.SI., while a Knighthood was conferred on Amar Singh[164] . The reconstitution of the Council was, however, a procedural change and did not materially affect the

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position of the Maharaja[165], who was partially restored to his lost dignity[166].

The State Council continued its work of reforms and reorganization of administration. The settlement Department, in particular. performed a commendable task-thanks to Walter Lawrence and his able assistants[167].

The Public Works Department was reorganized. The Jammu Sialkot Railway was completed and was thrown open to the traffic in 1890. The Jhelum-Valley Road was also completed in 1890, with the help of the British, and thus Kashmir was connected with the British India [168]. The work on the Gilgit road also began owing to the efforts of the Council. Even a mountain railway was considered for facilitating communications between Kashmir and Punjab, which, however, did not materialise[169].

The State council reorganized the finances of the State. The system of budget and audit was introduced and a check was imposed upon the extravagances of the Maharaja[170].

An attempt was made to check corruption in the judiciary. The Police Department was reorganized. Educational institutions were set up at Jammu and Srinagar. The Medical Department was placed on a satisfactory footing. A number of officers from British India were lent to develop and reorganize the administrative services. The census of

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Jammu and Kashmir was undertaken for the first time in connection with the general census of the Indian Empire[171].

However, the important improvement was noticed in the Military Department. The State army was divided into two main branches, namely Regular Troops and Imperial Service troops[172]. The efficiency of the Kashmir Imperial Service troops was brought prominently to notice during the campaigns of Hunza Nagar (1891) [173]. Chilas (1892) [174] and Chitral (1895)[175].

Before Lansdowne's retirement from the viceregal office in 1894, Pratap Singh once again appealed for his complete restoration to power. He claimed full credit for the reforms and improvements that were introduced in the administration of the State. But Lansdowne, though recognizing Pratap Singh's share in carrying reforms in the State, was still not convinced that the Maharaja was free from the influence of his evil advisers. Therefore, he rejected the Maharaja's appeal [176].

Lord Elgin, the new Viceroy, continued the same policy towards the Maharaja, and refused to take any measure that was to frustrate the scheme of reform introduced during the past few years.

In 1896, however, some modifications were introduced in the procedure of business of the Council. The Maharaja was entitled to receive

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references made to him by the individual Members of the Council for report and disposal[177]. The Maharaja was also empowered to send for proceedings finally disposed of by the Members and in cases he did not agree with any decision taken, then he was to refer the cases to the Member concerned for reconsideration[178].

Possibly, apprehensive that the Maharaja would use the small measure of initiative given to him to his advantage, H.S. Barnes the Resident, lost no time in tightening his controls on the Council by circumventing the powers granted to the Maharaja. Orders were immediately issued by the Resident in accordance with which the members of the Council were required to prepare a synopsis of the business conducted by them outside the Council showing the important cases disposed of by them, the decisions taken by them on the Suggestions made by the Maharaja and the *Irshads* issued by him[179]. Restrictions were also imposed on some of the prerogatives which had been reserved to the Maharaja in 1889, and he was barred to award any Khilats and donations exceeding the value of twenty thousands rupees annually to private persons by direct Irshad . The Maharaja was also barred to make any grants of *Nazul* property in *Nazarana*[180].

Raja Ram Singh died in June 1899[181] and, as a result, few changes were made in the State Council. Raja Amar Singh assumed the post of commander-in-

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Chief of the State forces to fill up the vacancy created by Ram Singh's death[182]. At the same time the Government of India, on the Resident's recommendations, made some new arrangement for the distribution of various departments to the Council Members[183].

Raja Amar Singh, the Vice-President of the Council was given, besides Foreign Department, the Military Department, stables, *Buggh ikhana*, telegraph and post, Police, *Dharamarth*. *Toshakhanas*, Museum, *Shika*r Preserve, Mines and reception. Amar Singh had already assumed the charge of Home Department in 1894, after the departure of Mohammed Hayat Khan, the Home Member[184].

Ghulam Ahmed Khan, who become the Revenue Member after the retirement of Pt. Suraj Kaul in 1896, was given the departments of Revenue, Public Works, Customs, Education, Sericulture and State Property in British India.

Narayan Das who became Judicial Member after retirement of Pt. Bhag Ram in 1899[185] was given the departments of Judiciary Jail, Press. Medical. Forests. Municipality and Council seccretariat[186].

Lord Curzon succeeded Lord Elgin in the viceregal office in 1899. Curzon had served as under Secretary to the Government of India in 1891-92, and had undertaken two around-the-world trips in his official capacity, visiting most of the countries in

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Central Asia including Gilgit[187]. During these years he strongly opposed the Russian expansionist policy in Central Asia. He believed that if Russia was not to be checked, "the position of India will be less secure, the defence of India much more difficult, the financial burdens imposed upon India much greater, the independence of India of European politics much more precarious" [188].

The political climate, however, began to change a good deal after 1895. Great Britain, Russia and Afghanistan had reached an understanding for the demarcation of boundaries[189]. The British succeeded in keeping a strip of land in Pamirs under Afghan suzerainty as buffer between. India and Russia. The British had so far succeeded in bringing various frontier states under subjugation[190]. The politics in Europe was taking a new turn. The German Empire, created by Otto Bismarck, had emerged as a major rival of Great British, leaving Russia behind. Britain's alliance with France in 1904 brought the end of her isolation from the continental politics. [191] At the same time, Britain and Russia, the two rival oriental enemies, began to adjust their respective spheres of interest in Africa and Asia in order to form an alliance against Germany. [192]

Lord Curzon, therefore, decided to give some more powers to Maharaja but. at the same time, he believed that the Maharaja was not yet strong enough

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to shoulder the entire responsibility of the Kashmir administration. In fact, Curzon was not prepared to make any serious departure from the policy laid down by Lord Lansdowne.

Pratap Singh appealed to Curzon in 1902 for his restoration to full powers. However, in a meeting with Curzon at Peshawar in April 1902, the Maharaja agreed to keep Amar Singh as the Prime Minister and to accept the Resident as the arbiter in case of any difference between himself and his brother. He promised to run the administration on the advice of the Resident and to make no change in its form or standard.[193]

Lord Ampthill, the acting Viceroy,[194] paid a visit to Kashmir in 1904, and promised to give some more powers to the Maharaja.[195] Lord Curzon resumed his office in December 1904 and decided to give effect to Ampthill's promise.

Lord Curzon paid a visit to Jammu in October 1905 to invest the Maharaja with the powers of administration hitherto vested in the State Council.[196] In his formal speech in Mandi Palace, the Viceroy instructed the Maharaja to adopt a liberal policy towards Kashmiri Muslims.[197] He was well aware of the Dogra ruler's apathetic attitude towards Kashmiri Muslims and reminded the Maharaja that he ruled "a state in which the majority of subjects are of different

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religion from the ruling caste, and in which they are deserving of just and liberal consideration."[198]

According to new arrangements, the state council, established in 1889,[199] was abolished and its powers were, formally, restored to the Maharaja.[200] The Maharaja was asked to form a new Council, the council Members were designated as the Ministers, and the Prime Minister as the Chief Minister.[201]

In the new administration, the Maharaja had the power to veto or alter any order passed by the Head of any department. He could, therefore, through the Chief Minister, call for and revise any proceedings in any department of the state. Appointments and removals of Gazetted officers were made by the order of the Maharaja on due cause shown.[202]

The reorganization of the Kashmir government, apparently restored to the Maharaja, the position he enjoyed before he was deposed in 1889; but actually the essential control over the affairs of the government was retained by the Government of India and their agent in the State. The powers which the Maharaja was to exercise were granted to him on the distinct understanding that he would follow the advice of the Resident whenever it was offered to him.[203] Evidently, the Resident was hardly expected to leave any initiative with the Maharaja. Virtually, therefore, the Resident continued to hold the reigns of power. The Maharaja had to consult the Resident whenever any step of importance had to be taken; on annual

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budget; on reappropriations of extra grants amounting to Rs 10,000/-; and on cancellation or modification of the existing resolutions of the State Council.[204]

Thus the Maharaja was barred from making any changes in the rules of conduct of business laid down by the State Council.

The power to appoint the Chief Minister, Ministers and other major officials including the Chief Revenue Officer, the Chief Judicial Officer, the Chief Engineer Public works, the Engineer-in-charge Railways, the settlement Commissioner, the Accountant-General etc. vested with the Government of India.[205] Thus the government of India retained complete control over the finances of the State, the armed forces, taxation, *jagirs,* appointments to administrative serivces and the foreign relations.

The new Council consisted of three members; Raja Amar Singh; Bhawani Das and Bhagat Narain.[206] Amar Singh was entrusted with the portfolio of chief Minister.[207] He also continued to be the vice-president of the Council and Commander-in-chief of the state forces. Bhawani Das was designated as revenue Minister and Bhagat Narain was given the charge of foreign Department.[208]

Amar Singh, as Chief Minister, enjoyed all those powers, which he had enjoyed previously as the Prime Minister. All the State departments were under

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his control and he was the channel of communications between the Heads of the departments and the Maharaja. [209]

The Revenue Minister was in-charge of the following departments: Revenue Treasury, Settlement, Account, Sericulture, Horticulture, Vineyards, Civil Transport, Civil Veterinary, *Nazool*, Arbericulture and *Toshakhana. He* was empowered to appoint or dismiss *Naib-Tehsildars, Tehsildars,* Managers of the State Property, Forest officers, Deputy Inspectors of Customs and the Sericulture Assistants. He could sanction contracts annually from Rs. 2000 to Rs. 5000. He had appellate powers from the orders of Settlement Commissioner, Governors, and the superintendent, Customs and Excise. [210]

The Foreign Minister was in charge of judicial Department, Press, Municipalities, Medical Department, Jails, Education and Public works Department. He could appoint or dismiss several officers like *Munsiffs*, Readers, Secretary Municipal Committee, Sanitary Inspectors, Assistant Surgeons and Jailors. [211]

Bhagat Narain Das, the Foreign Member, was also Judge, High Court. [212] It was soon felt that as the Judge, High Court, Narain Das could not pay much attention to other departments. It was, therefore, decided to transfer Foreign Department to Amar Singh, and the Judge, High Court was required to look

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after only Judicial Department. P. Molvi Mohammed Husain became Judge High Court in 1907. He was, however, in all respects at par with the other Ministers. The state Council decided that he should exercise the same powers pertaining to the Judicial Department which the Judicial Member of the State Council enjoyed before 1905.[213]

The portfolio of Home Member, which was abolished in 1894, was again introduced[214] and the following departments were placed under the charge of Home Minister: Police, *Buggikhana,* Stables, State Boats, Museum, Telegraph, Jails, Medical, Municipalities, Press, Meteorological, Forests, Customs and Excise and wine Manufactories.[215]

The relations between the Maharaja and the Chief Minister embittered during 1905-1909.[216] It was mainly due to the question of adoption. Pratap Singh was heirless, his only son, Tika Sahib, died a few months after his birth in July 1905.[217] The most suitable candidate for the post of heir-apparent was Raja Hari Sigh, son of Amar Singh. Pratap Singh opposed it as Hari Sigh was son of his worst enemy. and desired to adopt Raja Dev Singh, the son of his cousin Raja Baldev Singh of Poonch.[219]

Amar Sigh began to put pressure upon the Maharaja, and as a British protege and accomplice, he had the full support of Francis Younghusband, the

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Resident. Amar Singh spared no effort to undo the Maharaja and, even, assume the throne himself.[220]

Pratap Singh wrote to the Government of India in 1908 that Amar Singh be removed from his office, and suggested the appointment of a British officer in his place[221]. The Maharaja also informed the Resident that he could no longer carry along with his Chief Minister. The Resident, unmoved, advised the Maharaja to leave the Chief Minister "free as Emperor leaves the Prime Minister of England free to perform all the minor duties of a Chief Minister"[222].

Raja Amar Singh, however died in 1909[223] and the long feud that had plagued the dynasty after the death of Maharaja Ranbir Singh came to an end[224].

After the death of Amar Singh, Pratap Singh recovered real political power, though he was now too old to enjoy it. He appointed Diwan Amar Nath his Chief Minister[225] and retained the post of Commander-in-Chief with himself till 1915, when the Military Department was transferred to Raja Hari Singh[226]. Sheikh Maqbool Husian became the Revenue Minister. Molvi Mohammed Hussian Judge High Court, was succeeded by Radha Kishen Kaul in 1911, and Lal Sukh Dial in 1913[227]. Har Narain served as Home Minister till 1913[228]. When he was succeeded by Dr. A. Mitra. In 1914 Diwan Bishen Das assumed the post of Home Minister.

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During the Great War of 1914-1918, the Government of India asked the Indian states to provide men and Material for the Imperial forces. Several Indian states provided funds to the Imperial Government , but the State of Jammu an Kashmir topped the list of the Indian states in providing funds to the Imperial Government[229]. The contribution of the State towards the Imperial Government during the war was not less than one crore of rupees. The State, also outnumbered other Indian states in providing recruits for the Imperial troops. Over 51,000 men were recruited from the state[230]. Most of them took active part in several battles fought in Africa and Middle East[231]. The Government of India was moved by the loyalty of the Maharaja. In fact, the Kashmir State supported the British beyond her resources[232].

Thus, after the end of the world war I, when Pratap Singh requested the Government of India for more powers, he was permitted to exercise the powers of sanction, veto and revision in all cases within the framework of the existing rules for the transaction of the State business[233].

However, the Maharaja was not satisfied with these concessions. He had proved his loyalty to the Imperial Government during the most critical times. He now demanded full powers of administration in the State[234].

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The Government of India after 1920 adopted a favorable policy towards the Maharaja. The Maharaja was in his seventies and was not expected to survive long. Raja Hari Singh, the heir-apparent, was trained for future rulership according to the British standard. He studied in the Imperial cadet corps, Dehra Dun[235]. During the Great war, he took an active part in the training and equipping of the units despatched for service in the war theaters[236]. The British had no doubts about his loyalty towards the Imperial Government and expected him to deliver the goods.

In spite of all this, the danger of Russian expansion, a fear that had haunted the mind of almost every Englishman in India before 1895, was once again there, though in a different form. As a result of the Russian Revolution of 1917, the communists came to power in Moscow,[237] and by 1920, the Russian Government under the leadership of Lenin,[238] succeeded in establishing socialist rule over most parts of Central Asia. The British feared the communists more than they did fear the Imperial Czars. They did not recognize the Soviet Government either. Thus the British felt it necessary to keep a strict vigilance over the activities of the Russians on the borders of the State[239]. Therefore, the Government of India agreed to give the Maharaja full administrative powers in the State, provided the Maharaja would agree to give a confidential undertaking that the advice of the Resident would be

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accepted by the Maharaja whenever it was offered; the Resident would be informed of any important changes made in the existing rules and regulations, and; the resident would be kept informed about the ftontiers[240]. The Maharaja accepted the conditions and agreed to give the confidential undertaking demanded by the Government of India[241].

The Maharaja drew up a scheme for the reorganisation of his government and submitted it to the Government of India for approval. The Maharaja proposed the appointment of a Council of Ministers to conduct the administration. of the State and the institution of a Legislative Assembly. The Government of India, possibly frightened at the idea of founding a representative political institution in the State, turned down the proposals made by the Maharaja. They, however, accepted the part of the scheme which envisaged the reorganization of the State Council[242].

Lord Chelmsford, the Viceroy of India, visited the State in March 1921 and formally announced the restoration of full administrative powers to the Maharaja[243]. Soon the Maharaja abolished the state Council and formed the Executive Council in January 1922[244].

The Executive Council consisted of four members; Senior, revenue, Home and Law, and, Commerce and Industries. These portfolios were

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occupied by Raja Hari Singh, Janak Singh, A.D. Hakim and Nawab Maula Baksh respectively[245]. In 1923, the strength of the Council was increased to six, with the addition of two more Members, namely Public works Member and Finance and Police Member. Ch. Khushi Mohammed and B.J. Glancy were appointed on these posts. The Maharaja retained the portfolio of the President of the Executive Council[246].

Hari Singh, as the Senior Member of the Executive Council, was in charge of the Foreign and the Military Departments[247].

The Revenue Member controlled Land Revenue, *Jagirs* and *Muafis,* Revenue Settlements, Cooperative Credit Societies, Agriculture, Horticulture, Veterinary, *Dharmarth* Trust Fund, red Cross and the State property in British India[248].

The Home and Law Member was put in charge of Public Health, Jails, Education, Municipalities, Research and Libraries, Archeology and Museums, Meteorological Department and Judicial Department[249].

The Member for Commerce and Industries was put in Charge of Forests, Commerce and Industries, Excise, customs, Stationery. Industrial Education and the Printing Press.[250]

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The Finance and Police Member was entrusted with Treasuries, Accounts and Audits, Finance, Stamps, Kashmir Valley Flood Control and Police.[252]

The Members of the Executive Council enjoyed the same powers in their respective departments as were enjoyed previously by the Ministers incharge of them.[253] The decisions in the Council were taken by a majority of the Members subject to the concurrence of the Maharaja who reserved the power to over rule any decision the council took if he deemed that necessary. [254] The Executive Council was to pass the annual Budget, and could sanction pensions and other allowances for the whole life or lesser period to the employees of the State, their heirs or others representatives. [255]

Hari Singh emerged as the most powerful man in the new Council. He was ambitious youngman and, like his father, enjoyed full support of the Resiodent and the Government of India. He however, became hostile towards the Maharaja. The constitution of the council had given enormous powers to the Maharaja. But the Maharaja had become too old and had lost all interest in life. It adversely affected the state administration. Hari Singh demanded immediate decentralisation of Powers, which, he alleged, were still centralised by the Maharaja.[256] He also demanded delegation of wider and more effective authority to council . Hari Singh in fact, wanted to secure the power of the government for the Council where he

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enjoyed the dominant position. Accordingly , he submitted a secret note to the Resident. In 1923, the Maharaja was advised by the Resident to relinquish the office of the President of the Council and appoint Hari Singh in his place. Pratap Singh did not heed the Resident's advice. On further pursuation, however, the Maharaja agreed to abstain from attending the meetings of the Council except when important matters were discussed.[257]

In 1924, the Maharaja was finally instructed to stop attending the meetings of the Council.[258] Thus the Maharaja virtually retired from public life in his life time.

Maharaja Pratap Singh passed way [259] on 23 September 1925 at Srinagar. Thus the 'most chequered career,[260] of Pratap Singh came to an end.

It would follow from the foregoing discussion that Pratap Singh's reign, though marked by political intrigues , also saw the inauguration of reforms in various branches of administration. It is this story of administrative changes that the following chapters have to tell about. However, an attempt has been made to analyse critically the nature of these reforms in an interrelated way.

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259 Pearce Gervice describes the last moments of the Maharaja, "Just as the Maharaja was about to breathe his last, in accordance with the Hindu custom, he was hastily carried down from his upstairs room in the palace so that he might die on 'mother earth.' Here a cow stood waiting, a thread was tied to the dying Maharaja and the cow, Since he was by that time too far gone to hold the animals' tail and by doing so his soul was ensured a safe journey to rest for a while in Heaven". *This is Kashmir* p. 65.

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Chapter II

LAND REVENUE SYSTEM

REVENUE SYSTEM BEFORE LAWRENCE'S SETTLEMENT

The history of land revenue administration in Jammu and Kashmir State under the Dogras is a history of rather continues exploitation of peasantry by the ruling class. During this period the Dogra rulers in order to exact more and more out of the peasantry, introduced one system after another, the later being worse than the earlier and thus rendering unspeakable sufferings upon the impoverished masses.

Gulab Singh, just after the fateful events of 1846, declared himself the owner of all lands in Kashmir and Frontier Illaqas, and did not allow the proprietary rights to the owners of land. [1] The land was held by his subjects in capacity of the tenants, for which they were required to pay land revenue to him.[2]

Gulab Singh believed that as he had purchased Kashmir in consideration of seventy five lakh of rupees, [3] he had to amass this capital as well as its profit in as short a time as possible. Besides, the Dogra State was a Military State. The Maharaja had to support one of the largest armies in the British India. [4]

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The State also spent beyond its resources on the royal family and the top-heavy state administration. The expenditure was enormous and agriculture was the only major source of income to the State. As such Gulab Singh attached great importance to the land revenue which was the main source of income to him.[5] Thus from the very beginning, the Dogra administration imposed high land taxes on the peasantry. [6] This is evident from the fact that during the governorship of Sheikh Imamuddin, the last Sikh Governor, the total revenue of Kashmir amounted to Rs, 339, 200 but during the first year of Maharaja Gulab Singh, it rose to Rs, 843,000, nearly three times more than the previous figure.[7]

Gulab Singh continued the exploitative land revenue system which had already prevailed under the Sikhs.[8] The State took three quarters of rice, maize, millets and wheat, and of oil-seeds, pulses and cotton the share taken was nine sixteenths. [9] This system lasted till 1860, when the State reduced its share to a little over one-half. [10] Additional amounts were taken as perquisites of various kinds, leaving "even only a quarter with the cultivator."[11] Besides the land revenue, the State took in addition four *traks* [12] per *Kharwar*. [13] The *Patwari*[14] and *Qanungo* got one-half of a *trak* per *Kharwar* between them. [15] Similarly *Nazrana*[16] was levied four times a year and *Tambol*, a tax of two per cent, was imposed on the common man on eve of the marriage ceremony in the royal family.

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The villagers had also to feed the State watchers of the grain called *Shaqdars*.[17] Robart Thorp, writing in the sixties of the 19th century describes various taxes imposed on the poor cultivators.[18]

"Out of every 32 *traks* of each grain of the *Rabi* crop, almost 20 *traks* and 6 3/4 *Seers* were taken from *Zamindars*,[19] out of which 20 traks were the share of the government . Besides heavy money taxes upon the different grains of *Rabbi* and *Kharif* Crops, there were other taxes like those of *Russo-dart*,[20] Fruit tax,[21] animal tax,[22] taxes on Ponies.[23] on *Putto*,[24] *Ghee*,[25] Fowls,[26] honey, firewood etc, etc.[27]

Sametime the cultivators paid to the Maharaja *Malikana* in recognition of Maharaj's being the owner of the Land .[28]

Thus it is clear that the peasantry was literally crushed under the burden of heavy taxation. The peasant could not save himself from these exactions. From the time of sowing to the harvest, a large party of revenue officials kept a strict vigilance on the fields, and when the harvest approached, they used to take a larger share,[29] on one pretext or the other, and only a small portion of the harvest was left for the cultivator who had to starve most of the year.[30] Therefore, in most of the cases, the peasants left their fields uncultivated.[31] It was the policy of the state to force The peasantry to cuttiuate the land. For this

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purpose a special force called Nizamat Palton was established, and it was supplemented by the sepoys from the regular troops.[32] It was the duty of *Nizamat Palton* to force the villagers to cultivate their fields; and when harvest approached, they moved out into the villages to recover the state's claim[33]. Thus during the rule of Ranbir Singh, the whole State was parcelled out among the Kardars --- the land agents ---- who, every year, arranged for the cultivation of the estates by distributing the land on the basis of *nafre*[34]. The normal *nafre* unit allotted was four acres, the *nim-nafre*[35] two acres and the *Pao-nafre*[36] one and a half acres of irrigated land. The peasant hardly produced enough as he knew by experience that any surplus would be absorbed by the State officials. Thus Younghusband remarks: "In the early sixties (of 19th century) cultivation was decreasing; the people were wretchedly poor, and in any other country their state would have been almost one of starvation and famine"[37].

The circles of villages, under Ranbir Singh, were annually farmed out to the contractors called *Kardars*. From 1869, the practice of contracting with the *Muqaddams*__ or with *Zamindars* gradually established itself in place of the farming system and only two extra *traks* came to be levied instead of four[38]. The practice of 1869, however, itself began to be replaced in 1873 when an attempt was made to introduced a three year *Ryatwari*[39] settlement[40] This

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was, of course, unpopular with the contractors and the swarms of the middle men who thrived on the old system; and, therefore, they all combined to nullify the intentions of the scheme that the State introduced. In 1875, harvest being a favorable one, the State took two shares of the produce and left only one to the cultivators.[41] Next year, fresh contracts were entered into either with *Muqaddams, Kardars* or cultivators,[42] and two *traks* per *kharwar* were again added to the assessment.

The land revenue was collected in kind twice a year at the end of each harvest.[43] This system of realizing revenue in kind was, undoubtedly, irksome, unmanageable and expensive.[44] The State had to spend a lot in order to collect the revenue; it had to engage a host of weighers, porters, pack ponies, boatmen and a train of store keepers. The state also erected a large number of granaries (store houses) throughout the state and established an office, named *Dol-i-Jinsi* (the office of grain) [45] which managed the transaction of whole business. So in this laborious and lengthy process, it was quite impossible for the State to check the corruption, mismanagement and exploitation of the peasantry at the hands of petty revenue officials. While the state spent enormous amount on the collection and storage of revenue, its cost of transport was paid by the poor peasants. The grain was shifted from villages to the towns or cities at the expense of the villagers.[46] The realization of State revenue in kind gave opportunities to several

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abuses and it became almost impossible for the state to prevent excessive collection of grain or to prove cases of illegal exaction against the officials. Walter Lawrence mentions that, for every 15 *traks* of grains which a cultivator had to pay to the state, he usually paid 17 *traks*.[47]

Another system of revenue in force during Ranbir Singh's reign was known as *Mujawaza*. It was actually the system of annually settling the demand in kind and in cash.[48] It was also a source of distress to the rural masses. In 1880 an assessment supposed to be on holdings, but really an assessment on villages was made, known as the *assamiwar khewat*.[50] Under this scheme, the State tried to make cash assessment. It rested with the *Hakim-i-Ala*[51] to determine as to how much of the assessment was to be taken in cash and how much in kind. But this reform proved to be a failure due to apathetic and callous attitude of the officials[52] who made no attempt to inspect the villages or to find the State of irrigation and cultivation.[53] This system, in the words of Walter Lawrence, was "a source of enormous profit to the officials, of great loss to the State, and of misery and demoralization to the people."[54] It increased the power of the officials and they were able to appropriate to themselves more and more revenue. This meant a double loss to the cultivators and the Government as well.

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Thus, when Pratap Singh ascended the throne of Jammu and Kashmir State, he found the agrarian system very defective. One of the defects was that *Izad boli* or the device of auctioning villages, which was introduced in 1882, led to many disastrous consequences. Under this system, the villages were auctioned to the highest bidders, who had to pay the amount to the State after collecting it from the cultivators.[55] Thus poor cultivators were left at the mercy of the speculating bidders or *Mustajirs* who took every thing that they could wring from the villagers. Those who bid for the villages had no idea of the capacity of the villages and hardly cared for them. They extorted from the villages whatever they could, and in many cases, absconded without paying the State single rupee. The worse part of the auction sales was that those *mustajirs* who ran away after collecting revenue from the villages and without paying anything to the State, were not brought to book. With the result, the lost amount was fixed as arrears to these villages and every effort was made to realize this fictitious revenue demand year by year.

The cultivated lands were neither measured nor records showing areas of holdings were prepared. The area of the holdings was not ascertained by measurement, but was calculated by the amount of the seed required for each field. There were several cases when some clever and influential villagers were able to cultivate their lands with far less seed than other ignorant cultivators. Thus their lands were shown on

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the paper much smaller, and their land revenue much lighter than other poor peasants who, in reality, held much smaller holdings than theirs. In absence of any reliable records of land, it became quite easy for corrupt officials to take out some land from the assessed area of a village and to assign it to some influential man.[56]

Agencies of revenue collection.

The revenue was collected in a manner which combined the greatest risk of loss to the ruled with the greatest certainty of extortion from the ruler. The revenue officials played a very destructive role during this period.[57] Writing about the revenue officials of pre-1890 era, Francis Younghusband remarks:

"The whole country Infact, was still in the grip of a grinding officialdom; and the officials were the remnants of a bygone, ignorant, and destructive age, when dynasties and institutions and life itself were in daily danger, when nothing was fixed and lasting, when all was liable to change and at the risk of chance and each man had to make what he could while he could; and when, in consequence, a man of honesty and public spirit had no more chance of surviving than a baby would have in a battle."[58]

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Robert Thorp, an eye witness to the oppression of revenue officials, writes in the sixties of the 19th century:

"Nor was it a ruler only whom we forced upon a reluctant people (of Kashmir), but the crowd of rapacious and unprincipled ministers, courtiers, hangers-on of every grade who followed the fortunes of Gulab Singh. These raised like himself from the lowest classes and invested with the titles of *Diwan, Wazeer*, *Tehsildar* etc., descended upon Cashmere like a flock of hungry vultures and swept away the prosperity and happiness of its people, and their ancestors. The *Diwans, Tehsildars, Thanedars* etc., who rule Cashmere, are as a rule, avaricious, mean and cruel, wholly untrustworthy....."[59] (Italics mine).

Thus during the famine of 1877-79, when the people were not prepared to meet the emergency, the State officials totally failed, due to their inefficiency, selfishness and carelessness to do any thing for the relief of the population.[60] There was scarcity of good supply; and when this calamity fell upon the country, it was found that people had nothing in reserve to fall back on; that the administrative machinery was incapable of meeting the excessive strain;[61] and that corruption and obstruction impeded all measures of relief.[62] As a result, nearly three-fifths of Kashmir's population was affected by the catastrophe.[63] Most of the valley was deserted; agriculture destroyed, and trade came almost to a stand still.[64] The assessment of

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land revenue was revised in 1880 by the State as a remedy to this terrible state of affairs;[65] but the whole system of assessment and collection was exceedingly complicated and worked only in die interests of the corrupt officials.[66]

When Pratap Singh ascended the throne, the system of revenue collection had further deteriorated, largely due to the troublesome system of *Izad-boli*, which further increased the chances of peculation at the hands of State revenue officials. These officials were most irregularly paid, and were consequently forced to live on the villages.[67] Since the officials played an important role in the rural economy, it is therefore, necessary to describe their functions.

Tarazudar.

First in this series was the *Tarazudar or* scalesman whose job was to weigh out the shares of the state and of the cultivators.[68] After the harvest, the crops were cut and threshed; and stacked within an enclosure surrounded by a low hedge of thorny bushes where they remained for months piled in heaps, corresponding with the number of shares. Mostly the *Tarazudars* were dishonest "who by a turn of the wrist added a considerable amount to the weighment."[69] and thus received more from the cultivators by fraudulent practices. As a result of it, the cultivator had to pay to the state 17 *traks as*

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against 15 *traks* of *shali* or maize which he was supposed to pay.[70]

Patwari.

Patwari was the village accountant who kept the records of holding of each villager.[71] Though the *patwaris* had occupied a more important place in the Mughal period,[72] under the Dogras, they, however, ceased to be an agency of any importance. The old idea that the office of *Patwari* was hereditary had died out. The *Patwari* was appointed and dismissed by the villagers, and the *Tehsil* authorities neither knew nor cared about the *Patwari* agency. Not only the *Patwaris* were turned out by the villagers once every two years but several groups in a village elected their own *patwaris,* thus having two or three *patwaris* in a village at a time.[73] The papers kept up by the *Patwari*s were meagre in the extreme and lacked continuity. The *patwari* usually kept three editions of the statement of holdings on cramped pieces of paper or birch bark – one for himself which was supposed to be near the truth, one for the *Tehsildar,* and another for the villagers, the two latter being prepared with a view to convincing each side of the excellent bargain he had secured. There were a large number of *Patwaris* in the State, and almost all of them were Pandits.[74] Their pay was what they could get from the villagers. Their records were full of confusion because the areas of the holdings was not ascertained by measurement, but was calculated by the amount of seed required for each field.[75] Under this system, the

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Patwari felt helpless; when he saw that the revenue officials ignored the primitive village records and seized the crops regardless of the size of holdings and of the old revenue demand, he gave up all idea of acting as the village accountant, realizing that his office was superfluous, and devoted himself to securing his prescribed share of the crop.[76] It may be noted here that it was the system of farming out villages to the highest bidders that led to the declining position of the *Patwaris*.

***Shaqdar*.**

The duty of *Shaqdar* was to sit in the village and watch the crops.[77] In a large village there were several *Shaqdars,* one to each threshing floor.[78] The *Shaqdar* received a *kharwars* of *Shali* from the State, and took as his perquisite about 12 *kharwars* from the village.[79]

***Sazawal*.**

Sazawal controlled the *Shaqdars* of a village.[80] There was one *Sazawal* in a large village, but in the case of smaller village, a *Sazawal* covered a few villages at the same time. He received for ten months in the year Rs 2 ½ per month.[81]

***Kardar*.**

We have already referred to the position of *Kardars* in Ranbir Singh's time. It may be noted here that the *Kardar* was the land agent of the State,

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with very large powers.[82] His jurisdiction was spread over several villages and he arranged for the distribution of produce. 83 *The Kardar* divided his charge into three belts. In the lower belt he usually allowed nothing to be grown but rice, in the middle belt he allowed some rice to be grown, and in the highest belt he permitted no rice. It was *Kardar's duty* to get the largest possible amount of grain for the State, and he knew that rice cultivation at a high altitude was, on the whole, unprofitable. [84]

Tehsildar:

Tehsildar played an important role in the revenue administration of the State. As the chief officer of a *Tehsil* he collected the whole revenue of *the Tehsil* and then transferred it to the provincial headquarters. He submitted the revenue accounts to *the wazir-i-wazarat or Hakim-i-Ala.*[85] Below a *Tehsildar*, there were two *Naib Tehsildars who* looked after the revenue administration of several *Parganas* of the *Tehsil.* [86] *The Tehsildar* received a meagre salary of Rupees thirty per month, but he had so much income from other sources that his monthly income often exceeded Rs 500.[87] His *Tehsil* building was always in a deplorable condition,[88] and with a skeleton number of relatives and friends known as '*mutabir* to whom he delegated the duties of his office. As these men received no pay from the State,[89] they took it from the villagers, and the more friends and relatives the *Tehsildar* had, the worse was it for the villagers. There were no fixed installments of

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revenue, and in consequence emissaries from the *Tehsil*, known as *Sipahi*, were always in the villages, living free at the cost of villagers.[90] The *Tehsildar* rarely moved out, except at the time of ploughing for the autumn crops, when it was necessary to urge the villagers to cultivate, and at the time of the ripening of the rice and maize, when he appraised, the crop and calculated by a rapid scrutiny how much grain could be taken for himself and how much for the State.[91] *Tehsildars* often inflicted harsh punishment on the peasants. This often led to the migration of the peasants from one village to another.

One main administrative defect which caused panic in the State was frequent transfers of *Tehsildars* from one *Tehsil* to another. [92] These transfers occurred not with effect from the beginning of the harvest, but from, that of any month. In case the transfer was ordered in the course of the harvest season, the old and the new assignee had to share the collection of the whole season according to the number of months the assignment had been in the hands of either. A sudden transfer could also place a *Tehsildar* in some difficulty, if he had not yet been able to collect the full revenue owed to him. These difficulties made the *Tehsildars* to collect as much as they could during the duration of their stay, because they were never sure when the transfer would come.

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Governor:

The Governors or *Hukam-i-Ala* were the chief revenue officers in their respective provinces.[93] They directly controlled the Assistant Governors, *Wazir-i-Wazarts, Tehsildars* and other subordinate revenue officers.[94] The provinces of Jammu and Kashmir were under Governors while the Frontier districts of Ladakh and Gilgit were under *Wazr-i-Wazarats*. The Governors, as the administrative heads, were responsible for the collection of revenue and looked after the revenue administration in their respective provinces. The Governors were directly responsible to the *Durbar,* and enjoyed almost unlimited powers in their jurisdictions. The Governor of Kashmir province, especially, used to become more powerful during winter when the valley was cut off from rest of the world, and the Durbar was unable to keep any vigilance over the administration in the Valley. The provincial revenue establishment was known as *Daftar-i-Diwani.*[95] All accounts belonging to the revenue department were kept, checked and audited by the office. Similarly *Daftar-i-Nizamat* kept the land records, village after village and collected information regarding the land revenue.[96] Walter Lawrence informs us that all the *Wazir-i-wazarats* were Pandits and "the *Daftar-i-Diwani* was composed entirely of Pandits."[97] Similarly all the Governors of the Jammu Province during the Dogra period were Hindus.[98] In Kashmir Province, from

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1846 to 1925, there were only two Muslim Governors who were of Punjabi origin.[99]

Jagirdari system.

During the Dogra period, the land was held by numerous *jagirdars* who received *Jagirs* in lieu of political services rendered by them to the ruler.[100] Gulab Singh is said to have remarked on his first visit to the valley that he had actually got nothing in return for seventy-five lakhs of rupees, as two-thirds of the areas was under hills and mountains and, therefore, unfit for cultivation and the remaining one-third belonged to the *jagirdars.*[101] The grants made to the jagirdars generally were heriditary but could also be resumed by the rules. The cutiuators had to pay this revenue to the *Jagirdars* instead of paying it to the state.102 The jagirdars had to pay their revenue in cash as well in kind to the state.[103] The surplus of agricultural produce, appropriated from the peasants, was shared by the Maharaja, his revenue officials and the *jagirdars;* and the power exercised by the *jagirdars* over the economic life of the country – agricultural production, shawl and cottage industries, and trade—was tremendous. In spite of the constant struggle between the Maharaja and his revenue officials on the one hand, and the *jagirdars* on the other for greater share of the produce, the two became the partners in the process of economic exploitation.

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A contemporary writer describes a *jagirdar* of the Dogra period as "The judge, the administrator and the police officer."[104] The *jagirdar* was practically the master of his estate. The peasant was nothing more than a purchased slave.[105] The *jagirdars* had unlimited power of collecting revenue in their *jagirs.*[106] The *jagirdars* of Chenani, Kathai and Dopaṭta exercised vast judicial powers.[107]

Most of the *jagirs* in the Jammu and Kashmir state were held by the Rajput Dogras and Kashmiri Pandits.[108] Shaikh Ghulam Mohi-ud-Din and Shaikh Imamud-Din, last two Governors of Kashmir during the Sikh rule, had lavishly granted large tract of lands to several persons as *jagirs.*[109] By granting these *jagirs,* they wanted to gain public support as well as monetary help.[110] The beneficiaries of this act were mostly Kashmiri Muslims. When Gulab Singh acquired Kaṣhmir in 1846, he did not favour the policy of the Sikh Governors[111] and therefore instituted an enquiry, and later confiscated 3115 *jagirs,*[112] on the plea that these *jagirs* were unregistered.[113] This naturally created wide-spread resentment among the dispossessed landholders against Gulab Singh and his adviser Rajakak Dhar.[114] But Gulab Singh crushed the opposition with a firm hand.[115]

A new landed aristocracy emerged in the State after 1846 as a result of the land grants made by Gulab Singh and Ranbir Singh. In the first instance,

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the Maharaja was the biggest *jagirdar* at the apex of a chain of *jagirdars* subordinate to him. It is clear from the claim of Maharaja Pratap Singh that all lands in Kashmir belonged to him for the simple reason that the territories of Jammu and Kashmir State were purchased by his grand-father.[116] During the Dogra rule, *jagirs* were granted to the members of the royal family, to their relatives, to the persons who belonged to the same caste and religion as professed by the ruler himself, and to those persons who had proved, by service or otherwise, their loyalty to the person of the Maharaja as well as to his throne. The Maharaja also enjoyed unquestionable authority to deprive any person of the *jagir* granted to him. Arthur Brinckman has given a clear picture when he writes, "Every thing is in the hands of the Maharaja....... no man having anything of his own, not even his soul...... everything, the land, the water, the food, and the refuse of the woods, being the Maharaja's."[117]

Next to Maharaja Pratap Singh, his brothers Amar Singh and Ram Singh were the biggest *jagirdars* in the state.[118] Situated in the southern part of the state, Bhadarwah *jagir*[119] was given to Raja Amar Singh by his father Ranbir Singh.[120] The area of the jagir was 607 sq. miles, with a population of 37,512. Besides Bhadarwah town, there were 294 villages in the jagir.[121] Amar Singh also held several other *jagirs* in the state;[122] Most important, save Bhadarwah, being Langet in the Kashmir Valley. Its

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area was 185 sq. miles with a population of 20,865 in 77 villages.[123] These *jagirs*, after the death of Amar Singh, were transferred to his son Raja Hari Singh, the Prince Regent. Ram Singh possessed the *jagir* of Ram Nagar.[124] Besides, Maharaja's uncle Raja Moti Singh of Poonch was the biggest *jagirdar* in Jammu and Kashmir State, while the Maharaja's another uncle held the *jagir* of Chenani.[125] Several other relatives held large tracts of lands as *jagirs* throughout the States.

Major Charles Bates records that during Ranbir Singh's period almost all the *jagirdars* in the Jammu province were Hindus; while in the valley of Kashmir, out of 45 *jagirdars*, 40 were the Hindus,[126] mostly Kashmir Pandits who became *jagirdars, Chakdars* and *Muafidars* as a result of the land grants bestowed on them by the Dogra rulers. So long as they continued to receive favours from the Dogra rulers they supported the Dogra regime and did not raise their voice against the tyranny of the Dogra Maharaja and the ruling class. They were exempted from various taxes which landlords had to pay to the state. One such tax was *Nazrana* which was a kind of property tax and was paid by *jagirdars*, *Chakdars* etc. to the Maharaja on the occasion when the *jagirs* were given to them. After the death of a *jagirdar*, his successor had to pay *Nazrana* to Maharaja on the eve of succession to his *jagir*. But this tax was only charged from the Muslim landholders and Hindus

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were exempted from payment of *nazrana* to the state.[127]

The word *'jagirdar'* was used to denote the various holders of hereditary interests, from powerful, autonomous chieftains to the petty landlords at the village level. Below are given various types of *jagirs* which existed during the period under study.

1. ***Jurisdictional Jagirs*** .

The 'Rajas of jurisdictional *jagirs* were the hereditary autonomous rulers of their territories who practically enjoyed the sovereign powers. There were two jurisdictional *jagirs* in the state, Poonch and Chenani, and both were situated in Jammu Province.[128] These *jagirs* covered more than 7 per cent total area of the state, excluding Frontier Territories, and 11 percent population of the state was under these two petty rulers.[129]

Poonch Illaqa

Poonch was a mini state within the state of Jammu and Kashmir.[130] It constituted 4 Tehsils; Haveli, Sadauti, Mandhar and Bagh. The area of the *jagir* was 1627 sq. miles with a population of 334393 in 1911. It possessed one town and 486 villages.[131]

Poonch was included in the transfer of the hilly country to Gulab Singh in 1846.[132] The Maharaja granted the *Illaqas* of Poonch and Chibal to his cousins, jawahar Singh and Moti Singh.[133] In a

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dispute having occurred between the brothers and Gulab Singh,[134] Sir F. Currie effected a settlement whereby the Maharaja granted the two Mians, as they were styled, the title of 'Raja' and certain other concessions.[135] The Rajas of Poonch quarreled in 1852. The Board of Administrators for the affairs of Punjab brought about a settlement whereby the whole of Poonch was given to Moti Singh. Moti Singh held Poonch till the reign of Maharaja Pratap Singh i.e. 1892 when the former died.[136]

The Raja of Poonch was an independent *jagirdar* and exercised vast administrative powers,[137] subject to the conditions as laid down in the settlement of 1846.[138] He was a feudatory of the Maharaja and had to present to the Maharaja one horse with gold trappings or Rupees seven hundred in cash annually.[139] The Raja was the head of the *Adalat-i-Alia* (High Court) of Poonch and decided all the cases of the people under his jurisdiction.[140] He was called *"Raja Sahib"*.[141] He was, however, not to commit any important act in his territory without the consultation of the Maharaja.[142]

Chenani Jagir:

In the Jammu Province, near Udhampur, was situated the tract known as *jagir* Chenani, being 93 sq. miles in area with a population of 10589 in 1911. The *jagir* contained one town and 45 villages.[143] The Raja enjoyed the same rights and privileges as enjoyed by the Raja of Poonch.[144] He practically enjoyed

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unlimited powers as he himself was the ruler, the Magistrate, the Police Officer and the Controller of Supplies in his *jagir.*[145] He was also a hereditary double *Tazimi Sardar,* and occupied the second place in the *Durbar* of the Maharaja below the Raja of Poonch.[146] He also exercised 1st class magisterial powers within his *jagir.*[147]

The people of these *jagirs* suffered on account of mal-administration, corrupt practices of officials, illiteracy, hunger and heavy taxation.[148] The condition of the people of Chenani *jagir* was worse than the people of Poonch. The Raja of chenani was a tyrant. He used to treat his people worse than slaves, and forcibly dispossessed them, rendering them most miserable.[149]

2. ***Jagirs assigned for Revenue Purposes.***

There were several *Jagirdars* in the Jammu and Kashmir State who possessed thousands of acres of land. Some *jagirs* consisted of a few acres of land while some were as big as that of Bhadarwah viz. 607 sq. miles with 294 villages and a town, [150] but generally the *jagirdars* of Jammu and Kashmir state had certain villages either wholly or partly assigned to them as *jagirs.* The *jagirdars* used to collect the revenue of the *jagir* lands from the peasantry directly and thus they enriched themselves at the cost of the state. The *jagirdars* were too powerful within their

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jagir with all the privileges which they enjoyed. Some of them are mentioned below:-

1) Inside the *jagir* lands, a *jagirdar* could exact grazing fees on cattle in the same manner in which he recovered the assigned land revenue, and this right was conferred in all cases irrespective of the fact whether or not it was expressly contained in the instrument of Grants.
2) He enjoyed the same rights in respect of the forests within the *jagir* as the state did.
3) Inside the *jagir*, the right of a landholder dying heirless, instead of escheating to the state, devolved on the *jagirdar*.
4) He needed no shooting licence within the estate.
5) He needed no state subject certificate like other people.
6) If the state acquired any part of his estate, it was he who received compensation.
7) Village headmen were the men of his own choice.
8) Income from water-mills was received by him.
9) He possessed prior rights to reclaim lands for cultivation.
10) He was exempted from personal appearance in civil courts.[151]

Thus we find that the *jagirdar* was "virtually the monarch of his own *jagir*."[152] we find several cases

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when some big jagirdars granted *jagirs* to some other people out of their own *jagir,* without the consent of the Maharaja. The Maharaja or the state, however, did not interfere in these cases because there was no provision in the state laws preventing or authorising the *jagirdars* from making such grants. In one case, Raja Ram Singh had made certain grants to Diwan Bishan Das, Diwan Amar Nath, Daya Mahru, Nikku, pt. Brij Bashi Ju etc. out of the *jagirs* assigned to him.[153] It is significant to note that this case of subinfeudation received the legal sanction of the state when the matter was referred to the Maharaja.[154]

3. *Chaks*

In 1862, during the reign of Ranbir Singh, it was decided to grant the waste land to the privileged persons who came to be known as *Chakdars.*[155] Though regarded as temporary land holders in official records, in actual practice, however, the *chakdars* were the real owners of the soils. Their *Chaks* were often situated in several villages at a time. The system of *Chakdari* which was an institution in itself, thrived at the expense of tillers.[156] The *Chakdar* like a *jagirdari* treated the cultivator in his *Chak* with great severity.[157] He was entitled to one half of the produce of his *Chaks.* [158] It is, however, necessary to note that the *chaks* were mostly held by the Kashmiri Pandits.[159] It was mainly because the state, during the time of Ranbir Singh, made landgrants to the Pandit officials on a large scale.[160]

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4. ***Muafis***

Muafis were granted by the Dogra Maharaja with the object of invoking "Almighty's blessing" to strengthen their power over their kingdom. With this aim, they granted land in shape of charity to the individuals, institutions and so one. It was the Maharaja's whim that determined the occasion of such grants.[161] The grants of these lands, called *Muafidars* enjoyed the same rights as *jagirdars*. They used to derive all the benefits from the produce of their assigned lands and yet paid no land revenue.

Muafis were of two kinds – non-religious and religious. In the non-religious *muafis* the whole of the assigned land revenue was received by the *muafidar* either in cash or parlty in cash and partly in kind. In the religious *muafis* one third of the amount of the land revenue assigned was received by the *muafidar* in cash and two-thirds in kind at the rate of Rs. 4 per *kharwar*.[162]. *Dharmarth* was the biggest *muafi* institution in the state which was established for the welfare of Hindu and the maintenance of their temples.[163] Besides several other *jagirs*, it possessed 25 villages in Kashmir and 35 in Jammu Province as *muafis*.[165] Out of *Dharmarth's* funds, which ran into lakhs of rupees,[165] the state gave liberal assistance to the Hindus for the construction of temples and shrines, charity to poor Hindus, for the celebration of various festivals and grants for the religious establishment at Hardwar, Kashiji, Badri Narayan and

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other places of worship.[166] But not a single rupee out of this fund was spend on the welfare of Muslims who formed the bulk of the downtrodden in the state.[167]

5. *Muqqarraree*

Muqqarraree-holders was a class of land owners who received from the state treasury fixed cash grants either as a reward for political services or a charity. The number of *muqqarrees* was 2377 and they received an annvity of Rs. 1,77,921 from the state Treasury.[168]

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1. Robert Thorp, *Kashmir Misgoverment*, pp. 13-14, Hakim Imtiaz Hussain, *Jammu-wa-Kashmir mein Zarai Islahat*, p. VII.
2. *Ibid.*
3. Article iii of Treaty of Amritsar , NAI/foreign, Deptt., Sec E, nos. 424-443, Dec. 226, 1846. See also K.M Pannikar, Gulab Singh (1792-1858), Founder of Kashmir, p.112.
4. NAI/Foreign Dept., Progs., Sec. E, July 1863, Nos. 73-75.
5. Robert Thorp, *op.cit.*, p.14.
6. Arthur Brinckman, *Wrongs of Kashmir (Cashmere Papers* , p.53); Francis Younghusband, *Kashmir*, p.174, Walter Lawrence, *The valley of Kashmir*,. Pp.402-03; Hakim Imatiaz Hussein, *op.cit.* p.VII; E.F. Neve, *Beyond the pir Panical*, p.73; D.K. Joshi, *A New Deal in Kashmir*, pp.20-21
7. Robert Thorp, *op,cit.*, p.14.
8. J&K State Archives, pol. Deptt. No.56/H-73 of 1902. See also K.M. Pannikar, *op.cit.*, p.136, salig Ram Kaul, *The Biography of Maharaja Gulb Singh*, p.225.
9. W.R. Lawrence, op.cit., pp. 402-03
10. J&K State Archives, Gen. Pol.Deptt. No. 47/L.R-169 of 189; See also N.D. Nargis, *Tarikh-i-dogra Das* p. 707
11. Francis Younghusband, *op.cit.*, p.174.

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12. *Trak:* It is a local weight approx. 11 lbs.

13. One *Kharwar* is equal to 16 *traks* or approx. 177 1bs.—*The Valley of Kashmir*, p. 248.

14. The village Accountant.

15. A. Wingate. *The Preliminary Report of the Settlement Operations in Jammu and Kashmir State*, 1888, pp. 18-19.

16. *Nazrana* was levied by the Revenue Officers on the Cultivators in the course of tours within their jurisdiction. These Revenue Officers usually made illegal recoveries from village headmen and others for their personal gains.

17. J&K State Archives, Pol. Deptt. No. 185/H-71 of 1909; A. Wingate, *op. cit.*, pp. 18-19.

18. *Cashmere Misgovernment (Kashmir Papers*, p. 53).

19. The word *Zamindar* is quite different from that used during the Mughal period; here it meant only cultivator or a peasant, and not intermediary landlord.

20. A tax levied upon each house throughout the villages from 4 Annas to 20 Annas.

21. Three-fourth of the annual produce of the valuable kinds of fruits were taken by the government.

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22. From every village whose land produced 500 *kharwars* of grain, two or three of sheep or goats were taken annually.
23. One pony was taken every year under the same conditions.
24. One *loie* (woolen blanket) was taken annually under same conditions.
25. For each milch cow half a *seer* of Ghee was annually taken.
26. The State officials took from one to ten fowls yearly.
27. A. Brinckman *op. Cit.*, p. 53.
28. K.M. Pannikar, *op. Cit.*,pp. 136-38; Hakim Imtiaz Husain, *op. Cit.*, p. VII; Glancy Commission Report, 1932, p.55.
29. *Gazetteer of Kashmir and Ladakh*, p. 110.
30. *The India we served*, pp. 128, 134.
31. W.R. Lawrence, *The Valley of Kashmir*, pp. 403-05.
32. By the end of Ranbir Singh's reign, the strength of *Nizamat* Regiments had reached 7429 men; of these the greater part was stationed in Kashmir, *Ibid;* p. 402.
33. J.K. Jalali, *Economics of Foodgrains in Kashmir*, p. 38; See also Walter Lawrence, *India we served*, p. 128.
34. *Nafre* literally means the number of the members of a house hold comprising a man, his wife and an adult son.

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35. Means half a unit, a man and his wife.
36. Quarter Unit, a bachelor.
37. *Kashmir*, p. 176.
38. In 1865, the extra *traks* per *Kharwar* were reduced for all Pandits and *Pirzadas* for a time to only one *trak*.
39. It was the Settlement made directly with the cultivators.
40. Lawrence, *op. Cit.*, p. 403.
41. A. Wingate, *op. Cit.*, p. 20.
42. N.D. Nargis, *op. Cit.*, p. 671.
43. R. Logan, *Repot on the Financial Administration of Kashmir State*, pp. 25-26.
44. Sali g Ram Kaul, *op. Cit.*, p. 225.
45. *Ibid.*
46. Walter Lawrence, *op. Cit.*, p. 405.
47. *Ibid.*, p. 411.
48. J&K State Archives, Pol. Deptt. No. 3/Shali/ 6 of 1919.
49. Francis Younghusband informs that even the new assessment of 1880 of the land revenue was three times heavy as that of the amount demanded in the British districts of Punjab-*Kashmir*, p. 177.
50. J&K State Archives, Pol. Deptt. No. 185/M-71 of 1909.
51. The head of the revenue administration.

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52. Robert Thorp, *Cashmere Misgovernment* (London, 1870) has given us a full account of the crimes perpetuated by the Maharaja's officials on poor people.
53. Arthur Neve, *The Tourist Guide to Kashmir, Ladakh and Skardu etc.* p. viii.
54. Walter Lawrence, *op. Cit.*, pp. 404-05.
55. *Ibid.*
56. *Ibid.*, p. 406.
57. E.R. Neve, *Beyond the Pir Panjal*, p. 73.
58. *Kashmir*, p. 179.
59. *Cashmere Misgovernment* (*Kashmir Papers*, p. 85).
60. E. Neve, *op. Cit.*, p. 265.
61. F.Younghusband, *op. Cit.*, p. 180.
62. The Officials made huge profits when grain was imported from Punjab to the Valley. *Franshawes' note on famine*, NAI/Foreign Sec. E, March 1883, Nos. 8182, p. 9.
63. W. Barton, *the Princes of India*, p. 122; M. Ishaq Khan, *op.cit.*, p. 23; E.F. Neve, *Beyond the Pir Panjal*, p. 264.
64. *Franshawas' note on Famine*, NAI/Foreign Sec. E, March 1883, Nos. 81-82; Younghusband, *op. Cit.*, pp. 162-63; Lawrence, *op. Cit.*, p. 213.
65. *Ibid.*, pp. 403-05.

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66. Younghusband, *op. Cit.*, pp. 173-74; E.F. Neve, *Beyond the Pir Panjal*, p. 55.
67. *Cashmere Misgovernment (Kashmir Papers*, p. 27).
68. *Gazetteer of Kashmir and Ladakh*, 1890, p. 110.
69. Walter Lawrence, *op.cit.*, p. 411.
70. *Ibid.*
71. J&K State Archives, st. Deptt. No.L-16 of 1902.
72. J.N. Sarkar, *The Mughal Administration*, p. 179.
73. Walter Lawrence, *op.cit.*, p. 400.
74. *Ibid.*
75. *Ibid.*, p. 406.
76. *Ibid.*, p. 400.
77. *Gazetteer of Kashmir and Ladakh*, p. 10.
78. J&K State Archives, Pol. Deptt. No. 185/H-71 of 1909.
79. A. Wingate, *op. Cit.*, p. 27.
80. *Ibid.*
81. Walter Lawrence, *op. Cit.*, p. 402.
82. *Ibid.*,
83. *Gazetteer of Kashmir etc.*, p. 10. Besides collecting land revenue, he also disposed of petty civil and criminal cases. Saligram Kaul, *op. Cit.*, p. 238.
84. Lawrence, *op. Cit.*, p. 402.
85. *Annual Report of Settlement Deptt. Of J&K* S1967, p. ii; John Collet, *A Guide of Visitors to Kashmir*, p. 54.

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86. *Ibid.*, p. iii.
87. Walter Lawrence, *op. Cit.*, p. 419.
88. Lawrence defined these buildings as a rambling house, built of unburnt bricks , with a grass thatch, kept in precarious repair by the villagers." *Ibid.*, pp. 419-420.
89. J&K State Archives, Pol. Deptt. No. 64 of 1898.
90. Lawrence, *op. Cit.*, p. 420.
91. *Ibid.*
92. *Ibid.*, pp. 420-21.
93. J&K State Archives, St. Pol Deptt. No. 69/F-29 of 1910, Part II.
94. *Ibid;* see also F. Younghusband, *op. Cit.*, p. 231.
95. *Daftar*-i-*Diwani* was founded by Diwan Kripa Ram under Gulab Singh – Hasan, *op. Cit.*, II, p. 838.
96. Pt. Saligram Kaul, *op. Cit.*, p. 228.
97. Lawrence severely criticised the role of Pandit officials in the revenue administration. He thus writes, "The Pandits are loyal to one another, and the village *Patwari* knows that when awkward questions are asked he has friends at the *Tehsil*, at the head quartess of the *Wazir-i-Wazarat*, and in the *Daftar-i-Diwani*. It was a powerful ring of iron, inside which the village tax payer lay fascinated, and if he were wise, silent." *The Valley of Kashmir*, p. 401.

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98. Prem Nath Bazaz, *Inside Kashmir*, pp. 250-51.
99. Mohd. Din Fauq, *Kashmiri* (daily) August 21, 1924.
100. *Tarikh-i-Hasan*, Vol. II, p. 765; Francis Younghusband while referring to those *Jagirdars* pointed out that they were really no landlords of type dealing with the cultivation of land but a class of political dissidents who due to the weak government had, in a bid for power amongst the successive rulers of the time, built their own strong holds and, living on the labour of the poor tillers, got themselves installed as landed aristocracy. *Northern Frontier of India*, p. 17.
101. K.M. Pannikar, *op. Cit.*, p. 136.
102. Munshi Nasiruddin, *Tarikh-i-Kashmir Aur Jung-i-Azadi*, p. 32.
103. R. Logan, *Report on the Financial Administration of Kashmir State*, 1891, p. 27.
104. *Tarikh-i-Kashmir Aur Jung-i-Azadi*, p. 32.
105. Ghulam Hasan Khan, *the History of Freedom Struggle in Kashmir*, p. 13.
106. *Administration. Report*, 1892-93, p. 167.
107. Hariom, *Administration of Justice in Jammu and Kashmir State*, p. 158. Chenani was a big *jagir* in Jammu Province while Dopatta and Kathai *jagirs* were situated in Muzaffarabad district of Kashmir Province.

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The Rajas of these *jagirs* exercised magisterial powers in their respective *jagirs*.

108. J&K State Archieves Pol. Deptt. No 59/H-1 of 1910; Also Joseph Korbel, *Danger in Kashmir* ,p. 16.

109. Pir Hasan Khuihami records that Sheikh Ghulam Moh-ud-Din distributed land grants worth Rupees one lakh of revenue among the poor and pious people as *Jagir*. He did so on the advice of Sheikh Ahmed Tarabali, a great Muslim Saint. *Tarikh-i-Hasan,I* Vol.II, p.780.

110. K.M. Pannikar, *op.cit.,* p.136; Saligram Kaul, *op.cit.*, p.226.

111. Ibid. N.D. Nargis, Tarikh-i-Dogra Des, p. 630.

112. Ibid; Pannikar, *op.cit.*, p.135; Diwan Kirpa Ram, *Maharaja Gulab Singh,* p.147. N.D. Nargis, *op.cit.*, p. 631.

113. Pannikar, *op.cit.*, p.135.

114. Rajkak Dhar, a high Dogra official, who supported the Dogra cause in 1846 upheavals, was the main figure who with the help of some local influential men resumed the lands of those who had been newly granted lands in *Jagir*. Pannikar, *op,cit.*, p.135.

115. Ibid.

116. Pratap Singh to Chief Minister, Dec. 14, 1918, J& K State Archives, pol. Deptt. No. 191/H-75 of 1918.

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117. *The Wrongs of Kashmir* (*Kashmir Papers*, p.13).
118. .N.D. Nargis, *op.cit.*, p.695.
119. Bhadarwah *Jagir* was, in fact, held by Raja of Chamba during Sikh rule. But the treaty of Amritsar placed Raja of Chamba under the Maharaja of Jammu and Kashmir State, who also in-corporated Bhadarwah *Jagir* in *Tehsill* Kishtwar. The Raja of Chamba claimed his *Jagir* back, on the plea that the Treaty of Amritsar had authorised the *Jagirdars* of Punjab to hold their respective *Jagirs*. A commission, appointed by the Government of India, declared the Raja of Chamba independent of Maharaja, but incorporated Bhadarwah *Jagir* in Kashmir State *ibid., p.174*.
120. *Ibid.*, p.695.
121. *Census of India*, 1911, p.220.
122. *Revised List of Ruling*, p.3.
123. *Census of India*, 1911, p.220.
124. The *Jagir* was lapsed in 1899 when Ram Singh died issuless.
125. *The Revised List of ruling Princes, Chiefs and Leading Personages of J&K State and the Gilgit*, p.2.
126. *A Gazetteer of Kashmir etc.*,p. 30. Out of 5 Muslim *Jagirdars*, two were Sunnis and three Shias. *Ibid.*

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127. When Maharaja Pratap Singh was asked, in 1910, to impose *Nazrana* on the Pandits, he replied, "The case of Pandit *Jagirdars* of the Valley stands on a different footing from the Muslim *Jagirdars*... The Pandit Jagirdars have never been since the time of the late Maharaja Gulab Singh made to pay *Nazrana* on succession to the Jagir and in view of the peculiar nature of *Jagirs*....I am not now inclined to levy any Nazrana," –Pandit *Jagirdars*, J&K State Archives, Pol. Deptt. No. 59/H-1 of 1910.

128. *Census of India*, 1911, Vol. XX, p.221.

129. D.N. Nagarkatti, *Statistical Atlas of the Jammu and Kashmir State*, p.2.

130. The Dogras had conquered the Poonch during the Sikh rule. Maharaja Ranjit Singh later gave Poonch in *Jagir* to Raja Dhyan Singh, the Prime Minister, and the brother of Gulab Singh. After the death of Dhyan Singh, the *Jagir* was held by his sons, Jawahir Singh and Moti Singh. N..D. Nargis, *op.cit.*, p.337; Mohd. Din Fauq, *Tarikh-i-Aqwam-i-Poonch*, p.117-3.

131. *Census of India*, 1911, Part II, p.220.

132. N.D. Nargis, *op.cit.*, p.612.

133. *Tarikh-i-Hasan*, part II, p.835; Kirpa Ram, *op.cit.*, p.233; N.D. Nargis, *op.cit.*, p.612.

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134. Diwan Kirpa Ram, *Gulab Nama,* pp.348-355.

135. Aitchison Treaties, Vol. XI, 4 ed., p.71; *Revised List of Ruling Prınces, Chiefs and Leading Personagaes of* – p.2.

136. *Ibid.*

137. *Agricultural Reforms in Kashmir* p.23.

138. N.D. Nargis, *op.cit.*, p.612.

139. *Ibid.*, pp.337, 612-13.

140. *Documents relating to Poonch,* J&K State Archives (KGR), Shi'ite 1995-96, p.9.

141. *Agricultural Reforms in Kashmir* p.22.

142. *Documents relating to Poonch,* J&K State Archives (KGR)[s], 1995-96, p.9.

143. *Census of India* 1911, Vol. XX, Part II, p.220.

144. Gh. Hasan Khan, *op.cit.*, p.11.

145. *Agricultural Reforms in Kashmir* p.20.

146. *Revised List Of Ruling*—p.2.

147. *J&K State Archives* Pol. Deptt. No.64/V-20 of 1923.

148. For the details see Sardar Budh Singh, *Jagir Shai-Ka-Postmortem,*.p.25-28.

149. *Ibid.*, p.27.

150. *Census of India* 1911, p.220.

151. Mr. Afzal Beg, *Agricultural Reforms in Kashmir* , pp.10-11.

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152. *Ibid.*, p.10.

153. J&K State Archives, St. Pol.Deptt., No.22/H-43 of 1913.

154. Chief Minister to Maharaja, No.1790 of Jan.22, 1914. *Ibid.*

155. A. Wingate, *op.cit.*,p.27; Also *Glancy Commission Report*, 1932, p.75.

156. Lawrence, *op.cit.*, pp.414-15.

157. G.H. Khan, *op.cit.*, p.13. A critical analysis of the *Chakdari* has been made by M. Ishaq Khan in his book, "*Perspective on Kashmir : Historical Dimensions*, Srinagar 1983.

158. A. Wingate, *op.cit.*, p.30.

159. NAI/Foreign, Sec E., progs., Feb. 1880 Nos. 106-110.

160. P.N. Bazaz, *History Freedom Struggle in Kashmir* ,p.25.

161. *Land Reforms in Kashmir* p.52.

162. *Ibid.*, p.16. See also R.C. Raina, *Land Reforms in Kashmir* , Vol,II, Nos. 25-26(1), Dec.16, 1952.

163. The Dharmarth fund accession to throne-Amar Singh to Resident, No. 1535, Dc.30,1890. J&K State Archives, No18 of 1890. See also, NAI/Foreign, Sec. E, progs., No. 106-122 of 1892.

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164. *Short History of State Dharmarth Fund*, J&K State Archives, pol. Deptt., No 18, of 1890.

165. C.R. Kiernander, *Report on Dharmarth Fund of J&K State, (1896-97) 1897, p.2.*

166. J&K State Archives, Pol. Deptt. No.18 of 1890. See also, J&K State Archives, Pol.deptt.No. 59/F-10 of 1900.

167. *The Kashmir Mussalman*, (weekly) Lahore, May 25, 1931 p.1.

168. M.A. Beg, *op. cit.*, p. 17.

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CHAPTER III

WALTER LAWRENCE'S SETTLEMENT

One of the most important events of Maharaja Pratap Singh's reign was the revenue settlement of Kashmir. It was in 1887 that Andrew Wingate started his settlement operations in Kashmir.[1] During his stay in Kashmir he made the survey of two *tehsils* in the valley, namely Lal and Phak.[2] He was an efficient and deligent officer who seems to have clearly understood the root cause of sufferings of Kashmiri people. He felt the necessity of amelio rating the condition of Kashmiri peasants whom he regarded as "a machine to produce *Shali* for a very large and mostly idle population."[3] He found the cultivator having no rights either to his land or to his crops. "The Pandits and the city population," remarks he, "have the right to be well fed whether there is a famine or not...." His recommendations to reform the existing revenue machinery were somewhat of a radical nature. Wingate recommended a survey and new settlement of all cultivable land in the state, reduction in taxation, drastic changes in the revenue machinery; more rights to the peasants including hereditary and proprietary ownership of land; and abolition of forced

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labour.[4] Maharaja Pratap Singh was, from the very beginning, suspicious of the British designs towards Kashmir state.[5] He suspected Wingate's 'enlightened' ideas as an act of British imperialism to curtail his authority in his own dominion.[6] The Maharaja had become more powerful in 1888 when he dismissed the Lachman Das ministry and took the administration in his own hands. Besides Maharaja, there were several sections of the population which opposed any kind of change in the old feudal system – the Dogra bureaucracy which always considered the valley to be the main source of income for the *Dogra Raj;* the Pandit *jagirdars* who owned most of the landed property in the valley and resented any reform concerning land; [7] the revenue officials who disliked any type of check in their process of exploitation of the masses;[8] and even the city people who were living at the expense of the villagers.[9]- Finding his work obstructed at each step, Wingate left the State for good.[10]

When Walter R. Lawrence succeeded wingate as the settlement Commissioner,[11] the political situation in Kashmir had considerable changed; the personal rule of Pratap Singh had come to an end, and, the State Council, under the supervision of Government of India, had begun to function. However, Lawrence too found himself in a difficult situation as the vested interests in the land again tried to hinder the progress of reform.[12] He also found the condition of peasantry

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in the State quite deplorable who were literally crushed under the burden of taxes. "Everything, save air and water," Lawrence records, "was under taxation."[13] Variation in soil, fertility, climatic conditions, irrigation etc. made it unrealistic to impose an uniform rate over all areas. An important problem, therefore, which beset Lawrence was how to decide about the unit to be valued for land revenue.

Lawrence found the existing system of assessing a group of villages at the same rates defective as there were hundreds of tenants in an assessed group of villages.[14] It is necessary to note that although the peasant's produce largely varied from one another; they had to pay the same amount of revenue. This is shown by the fact that the villages were separated by the mountains, valleys and rivers and there were curious differences in the fertility of the adjoining villages of apparently the same soil and of the same advantages as regards irrigation, configuration etc.[15] For example, in the high villages water was abundant, but it was cold and only inferior kinds of rice were grown. There was vast difference in irrigation facilities in lower, or *Paiab* and the upper, or *sirab* villages. Several fields in a village with fertile land and better irrigation facilities produced less due to the shadow of mountains over their fields, yet they paid more revenue than those which produced more on account of their being exposed to the sun's course. Every village widely varied in irrigation facilities, but this factor was not

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taken into consideration previously.[16] Several villages situated at the vicinity of the forests, where bears and foxes abounded, often lost a big portion of their crops, while the fields situated on the sides of river Jehlum or water-logged swamp land were more exposed to floods. Yet no concessions were given to them. It was, therefore, not an easy task to determine the value of land and Lawrence came to the conclusion that for the purposes of assessment in Kashmir, a village was a large and dangerous generalisation.[17] He, therefore, decided to treat a holding and not a village as the unit of measurement.[18]

Lawrence carried on his settlement operations in a systematic way. He drew up a map of every village on a scale generally of 24 inches to a mile in order to show more accurately every field on the map.[19] As measurement proceeded, all the facts were recorded on a prescribed form relating to each field concerning area, class of land, source of irrigation, number and kind of trees, revenue payable etc.[20]

Lawrence classified soil in the Kashmir valley as follows:[21]

(1) Abi (Irrigated)
(2) *Gair Abi* (Unirrigated)

The *Abi* land included the following:[22]

Abi I- Land producing rice regularly.
A bi II-Land producing rice occasionally.

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Abi III- Land producing crops other than rice.

The *Gair Abi* land included the following:[23]

Wari – sloping manured land.
Maidani – Level manured.
Labru - sloping unmanured.

The above distinctions were based on the sufficiency or otherwise of water supply.[24] In addition to the above classes, there were two more classes known as:[25]

Sagazar - Vegetable plots; and
Nautor - Waste land

In Jammu Province, the classification of the soil was as follows:[26]

Chahi - Land irrigated from wells.
Sailaba - Land situated adjacent to the bank stream or naturally irrigated by flood.
Gora - Land adjacent to the village site which received the village drainage and night soil.
Heli - Manured land.

Lawrence divided the entire area into assessment circles. In each assessment, estimate of average produce were obtained by conducting crop cutting experiments for different crops. On the basis of prevailing prices, gross assets for each circle were

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worked out. Out of these, certain deductions were made on account of some requirement of the peasant, like cost of cultivation, seeds, draught, animals etc. and finally the revenue rates were determined as a percentage of the net assets. To those revenue rates were added a *Patwar* and *Lambardari* Cesses. The assessment so arrived at was then announced to the landholders.[27]

Thus it is difficult to sum up any uniform rate of land revenue that the state charged from the peasantry after the settlement. However, different sources have referred to it as thirty percent of the gross produce.[28] In some *Tehsils* of the Jammu Province where the state did not claim exclusive proprietary rights, the standard was "half net assets" or half of the net tenants.[29] In Ladakh, the land revenue demand was fixed at thirty per cent of the total produce which varied from *Tehsil* to *Tehsil*.

An important feature of Lawrence's settlement appertained to the ownership of land.[30]

During the Mughal rule,[31] while *zamindars* were the revenue collecting agents, the peasants were recognised as the owners of the land. The state demand on agricultural produce was defined by Abul Fazl in several terms – "The wages of guarding."[32] "The Price of protection."[36] Though the peasant was considered to be the owner of the land during the

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Mughal rule in Kashmir, his condition, however, was deplorable. In particular, the practice of farming out of *lands (ijaradari)* which was resorted to during the period of later Mughals continued to be the bane of agrarian administration under the Afghans and the Sikhs. It is, however, important to note that the proprietary rights of the peasants were never challenged in the pre-Dogra period.[37]

With the establishment of the Dogra rule, the pattern of agrarian relations began to change in Kashmir. As a result of the Treat of Amritsar, new rights in the land began to emerge; the Dogra Maharajas always considered themselves to be the superior owners of land,[38] the source of their claim being both conquest and purchase. However, in spite of the notion of superior ownership of land vested in the Maharaja, [39] the Dogra administration worked directly to create a new class of landed aristocracy.

The new class of landowners started a process of extending their ownership rights over every bit of land[40]. For this purpose, they expelled the cultivators having proprietary rights over the lands, and employed peasants from other villages who cultivated their land as laboures. Thus the cultivators were reduced to destitution and were forced to migrate.[41] The disastrous famine of 1877-79 swept off a large part of the Valley's population. Thousands of people left the Valley for the plains leaving behind them a

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large chunk of cultivated land[43]. After famine several peasants are said to have returned to the valley[44]. When the settlement of 1880 was made, it became quite difficult for the fugitives to prove their hereditary right of cultivation on the lands previously held by them[45]. Thus the peasants in certain cases became landless labourers whereas a large body of them were reduced to the position of 'Serfs'[46].

Wingate had realized that the agrarian system in Kashmir could not be reformed unless the proprietary right of land was not given to the cultivators. He believed that the State could not protect itself without the assistance of the cultivators and no land settlement could last long which would not engage the active sympathies of the agricultural population in support of the state Policy [47]. He, therefore, recommended not only the grant of permanent occupany rights to the peasants but even their right to "sale, mortgage or transfer" land [48]. Wingate was fully convinced that the peasants would be able to pay land revenue only when they were made the owners of the soil in the real sense.

Wingate's recommendations were, however, not accepted by the state, since these affected the interest of the ruling bureaucracy-the Dogras and the Pandits, who possessed most of the cultivable lands. It seems that the British imperial interest in Kashmir was not in favour of a radical change in the agrarian system. This is the reason why Walter Lawrence who

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succeeded Wingate as the Settlement Commissioner of Jammu and Kashmir State, vehemently opposed his predecessors' idea of granting full proprietary rights to the peasants[49]. He only favoured the grant of hereditary occupancy rights to the cultivators which were neither alienable by sale nor by mortgage or otherwise[50]. The argument which was advanced in favour of the ban on alienation was that if such a right was given to the peasants, they could easily be cheated by the corrupt officials because of their ignorance. Lawrence considered the right to sell and mortgage land as dangerous and even disastrous for Kashmiri Muslims as well as for the State, because according to him, it would lead to the emergence of a large class of powerful middlemen who could withhold the land revenue due to the State. He believed that the ignorant and inexperienced Kashmiri cultivators did not understand the value of land or rights in land, they would sell it for petty amounts, and in a few years large properties would be acquired either by officials or by influential Muslims[51]. Lawrence based his idea on the fear that if the Kashmir peasants were given proprietary rights, they would sell it at cheap rates because of their extravagant habits. He further argued that a simiiar reform had proved disastrous for several Muslim Communities in India where Muslims cultivators had sold their land on a large scale to the Hindu banias[52].

On a careful study, however, Lawrence's oppositions to Wingate's idea seems to have been

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baseless. It is most likely that he succumbed to the pressure tactics of the powerful bureaucracy of the Dogra government. What is of significance to note is that Wingate , while advocating grant of ownership rights to the peasants, had restricted the use of these rights by Rule 34 and 35 which allowed cultivators to sell, mortgage or transfer their land only to such persons as belonged to the cultivating class viz. Who were bonafide cultivators. According to Rule 35, sale, mortgagee or transfer of land to non-cultivators was declared null and void[53]. Thus wingate had covered the risk of transfer of land from agriculturist class to non-agriculturists.

It is thus clear that during our period of study the Kashmir peasant did not have proprietary rights in the land[54]. Ishaq Khan also points to the same fact in his research work. Thus he writers. "what the foundation of Dogra rule brought about was the creation of a new system of agrarian exploitation, with a parasitical urban growth based upon it. The new polity combined political authority with economic power more fully than either the preceding ruling classes had united before, ve sting the control over the bulk of the surplus produced by the peasants to the land was epitomized in the deriding remark *gama-hakur*, meaning village bull. Though many aspects of this ridicule are worthy of full investigation and comment such as the context in which it first

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appears, it can, however, be taken as a byword of basic social relations which bound the peasant to the soil and master"[55].

In some of the *teshsils_* of Jammu Province, namely, Samba and Basoli, however, proprietary rights had been conferred on some privileged persons[56]. Maharaja Pratap Singh passed a regulation in 1894, known as 'Pratap Code'[II], in Favour of the Dogra Rajputs, under which they were granted waste lands with full rights of ownership on very moderate terms[57], i.e., (a) free of revenue for the first five years (b) after five years, at half revenue rates, and (c) total exemption from *begar*.

Walter Lawrence was in favour of collecting revenue in cash,[58] but pressure was brought to bear upon him by the official and influential classes to abandon the idea of a purely cash assessment[59]. This is due to the fact that the system of collection in kind gave employment to a large number of people and also provided them with vast opportunities for perquisites and speculation[60]. Lawrence, therefore, decided to collect revenue both in cash and kind. He, however, believed that with the passage of time, monetary system would replace the village barter system.

Lawrence's wishes were fulfilled in 1903 when the collection of land revenue in kind was completely abolished and realization of revenue, full in cash, substituted[61]. This act, however, did not prove

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beneficial for the cultivation's because of ample supply of crops at the time of harvest when people did not easily purchase and as a result of which cultivators had to sell their crops at cheap rates[62]. Moreover, people living in towns also suffered. Previously, people living in towns were supplied grains at cheap rates by the Government [63], but now they had to pay much money to get grains from shopkeepers as government did not collect the land revenue in kind. Besides, a number of people who previously had been employed for the collection of land revenue now became unemployed. Therefore just after one year, the State was forced to revive the old system of collecting land revenue partly in each and partly in kind[64].

The management of waste lands formed an important part of Lawrence's settlement. All the waste or old fallow land which was neither cultivated nor under the occupancy of any peasant, was declared *Khalsa* viz. State owned[65]. The Preferential rights for acquiring such lands were granted to the tenants of the same village where these lands were situated. Lawrence, however, did not think it necessary to demarcate grazing grounds in each village, as mountains were the natural grazing-grounds for the cattle and fodder was abundant. The only rule observed in the allotment of waste lands for grazing purpose was that waste land to the extent of ten per cent on the cultivate area recorded at survey was to be left for village uses[66].

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Besides land revenue, a peasant was supposed to pay several other taxes to the State officials which were known as *Rasum*[111]. Lawrence severely criticized this evil system. According to him, an average village had to pay, besides its heavy land revenue, a large number of taxes for the maintenance of State officials. Lawrence, therefore, abolished the *Rasum* and other exactions and clearly defined in his settlement reports the rents and liabilities of a cultivator. At the same time, the *Nizamat* or the sepoys who attended at harvest to enforce the State's claim to a share of the produce and coerce the cultiuators,was withdrawn.

Thus the land settlement seems to have made a considerable improvement in the agrarian economy of the State. The holdings of the peasants were assessed systematically and, consequently, they knew the extent of the land revenue they had to pay.

Chance of peculation and corruption at the hands of the revenue officials were decreased, if not completely rooted out. The fixation of the State demand for a long time, helped the cultivators to improve the quality of the land.

Lawrence had fixed the state demand for ten years.[68] A revision of the land settlement was commenced in the year 1898 and completed in 1905, the methods applied for the revision being similar to those followed at the first regular settlement.[69] While

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the first settlement had raised the revenue by Rs 185.103 annually, the revision raised the revenue from 13.4 lakhs of rupees to 17.00 lakhs of rupees or by twenty-seven per cent.[70] The incidence of revenue varied from about ten annas to twelve rupees per acre and represented at all round rate of thirty per cent of the gross produce.[71]

Walter Lawrence was succeeded by several settlement commissioners; most important of them being W.S. Talbot,[72] and A.N. Stow.[73] They worked hard to bring the land revenue system of the State on an efficient footing. Their efforts led to a considerable increase in the land revenue of the state.

The table given below shows an increase of the land revenue from the commencement of land settlement to the settlement to the end of our period of study.[74]

Year	Land revenue Collected (in rupees)
1890-91	34,69,631
1895-96	35,73,259
1900-01	38,77,960
1905-06	38,90,717
1910-11	45,40,725
1915-16	43,77,712
1920-21	40,39,367
1925-26	53,18,843

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Criticism:-

It goes without saying that Walter Lawrence's land settlement was a landmark in the agrarian history of Kashmir. Francis Younghusband described it as "one of the greatest reforms effected in the reign of Maharaja Pratap Singh."[75] In the words of Mud Driver, "The settlement became a charter of liberty for downtrodden Kashmiri peasant, a charter that was his due after centuries of cruelty and oppression."[76] Ernest F. Neve[77] and E.F. Knight[78] attributed the emergence of Kashmir from medieval conditions to the modern era to the reforms of Lawrence. The growing prosperity of the Kashmir cultivators was also ascribed to the inauguration of the land reforms.[79] The state Government also claimed that the settlement "transformed the agricultural population into a self-reliant class, secure in its position."[80] Lawrence himself writes, "The State by its justice and moderation has won the confidence of the agricultural classes and Kashmir is now more prosperous and more fully cultivated than it has been in the memory of man."[81]

It will be unhistorical to accept the statements referred to above without trying to answer the following questions.

In what sense did the Settlement make the cultivators prosperous?

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How far did the settlement put an end to the exploitation of the peasants by the *jagirdars* and *Chakdars*?

To what extent was the Government's claim true that the peasants were transformed into a self-reliant class?

Was the forced labour abolished?

These are the few questions which we shall try to answer in the following pages.[82]

The most prominent feature of the land settlement was the conferment of occupancy rights on the cultivators; the rights being permanent but non-alienable and hereditary.[83] As a result of the settlement, a few persons were registered as owners, while a vast number of agriculturists were recognized as the tenants. In Kashmir province and the Frontier Districts; where the State enjoyed the proprietary rights over lands, the following persons were recognised as the land holders.[84]

1. *Assamis*[85] 2. *Chakdars* 3. *Absentee landlords.*

The state recognised all such persons as *assamis* as were not mere tenants but used to be landowners prior to appropriation of the proprietary

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rights by the state. Thus all *jagirdars, Chakdars* and other landholders were recognised as *assamis*. They continued to enjoy the same powers and privileges which they possessed in the pre-1889 period. Thus Lawrence failed to liquidate the feudal system which continued to exist till 1950.

Several types of *jagirs* existed during the period under study. While some *jagirs* were tenable during 'the pleasure of the ruler', other *jagirs* were held in perpetuity. Some *jagirs* existed on account of the service rendered by the assignees to the State. Every *jagirdar* had certain villages either wholly or partly assigned to him as a *jagir*. The revenue of these villages was collected by him. The tenants, instead of crediting the land revenue to the State Treasury, used to pay it to the *jagirdar* or his representative. Thus the *jagirdars* enriched themselves at the cost of the State.

The *Chakdars* who also acquired *assami* rights continued to enjoy the benefits of large chunks of land which the state had bestowed upon them.

Absentee landlords were also recognised as the landholders and they got cultivated their land by means of hired labour. It is difficult to assess, in the absence of any official records, how many absentee landlords existed in the State during the period under study. However, by the end of Dogra rule, viz., 1947, there were one and half a lakh absentee landlords in

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the State, and they held eleven percent of the total cultivable area in the State.[86]

In Jammu Province, where a few landlords enjoyed proprietary rights, the land was divided into two categories, namely:[87]

1. *Milkiat-i-Sarkar* 2. *Milkiat-i-Zamindar*

Milkiat-i-Sarkar (ownership of the Government) refers to those landholders who enjoyed the same rights and privileges which *assamis* enjoyed in Kashmir and Frontier districts.[88]

Milkiat-i-Zamindar (ownership of landlord) refers to those landlords who possessed proprietary rights over their land. They were mostly Rajputs who held these lands since the establishment of the Dogra Raj.[89] After the declaration of "Pratap Code" of 1894,[90] which encouraged Rajputs to purchase land on nominal rates, and conferred proprietary rights on them,[91] their number increased rapidly.

In certain cases, several *jagirdars* or *Pattadars*[92] who were merely assignees of land revenue and had no proprietary rights, used to recover revenue in kind, not under any provisions of the tenancy law but as a result of some special privilege that was granted to them by the State. In cases, however, where the term of settlement had expired

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and revisions of assessment had not taken place, payment in kind was substituted by payment in cash. It was, however, ordered that in cases where conversion of kind into cash payment was enforced, the *jagirdar* would be compensated for the loss sustained by him by an additional grant of *jagir* land of the value equivalent in revenue to the assigned revenue of his existing *jagir*.[93] In addition to these privileges, the *jagirdars* were also given the right to recover all arrears of land revenue. Thus the *jagirdars* exacted as much amount as they wanted.

The tenants were classified in the State as:-[94]

1. *Mustaqil Kashtkar*
2. Tenants-at-will
3. Sub-tenants.

Mustaqil Kashtkar, permanent cultivator, held land in occupancy title from the *Assamis*. A guarantee was given to them that only for special reasons they could be evicted. The payment of rent by the tenants to the landowners was made compulsory according to custom[95]

Tenants-at-will cultivated the land of the landholders, or that of State, and enjoyed no rights of occupancy.[96] They could be evicted by landholder or the State by an ordinary notice at any time.[97]

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Sub-tenants were the landless labourers who cultivated any land on meagre wages. We do not how many landless labourers existed during the period under study; but by the end of Dogra rule viz. 1947, their number had reached three lakhs, and they cultivated about ten percent of the total cultivated area in the state.[98]

Thus the major portion of the cultivatable land in the state still continued to be in possession of a few landlords, and majority of the cultivators who contributed most of the toil and sweat in producing crops, had no rights over their land. The state Government made several legislations to safeguard the interests of the landlords. Practically the tenant was left at the mercy of the land-owing class and the law barely helped him.[99] The State Government cared more to protect the interests of the land owners and almost neglected the interests of the tenants.[100]

If the Dogra rulers had allowed the ordinary law of Inheritance to operate, it is most likely that the *jagirs* and *muafis* would have lost all their vitality owing to the process of fragmentation. To keep alive feudal traditions, the law of Primogeniture was, therefore, made applicable to all the assignments. According to this Law, the *jagir* or *Muafi* on the death of an assignee, descended upon his eldest son and in the event of there being no such son, upon the senior member of the senior branch of the family of

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the original grantee.[101] In this way, *Jagirdari* system in the State was not only saved but further strengthened. The landowning class used two weapons to exploit the peasantry viz., unlawful evictions, and the enhancement of rent at will. It was not difficult for landlords to evict this cultivator from their land. They hardly issued any receipt of the revenue to the peasants. Whenever they desired a replacement by new cultivator, in order to receive more revenue from the new one, they issued a simple notice through the Revenue Officer. Though the cultivator could challenge the landlord in a court of law, he was, however, denied this opportunity since the notice was served to him only at the time of eviction. In several other cases, the landowners in collusion with petty officers of the Revenue Department used to get such lands entered as under *Khudkasht*[102] as were actually tilled by the tenants. Thus, the cultivator was deprived of his land and the owner of the land used to enjoy the fruit of his labour.

Another source of trouble to the peasantry was the enhancement of rent by landlords after short span of periods. There were four kinds of rents charged from the peasantry: *Naqadi,*[103] *Batai,*[104] *Zobti*[105] and *Chakota.*[106] The landowner had several means to raise the rents. If a cultivator used to produce more crops, the share of produce (*Batai*) of landowner also increased automatically in proportion. Every tenant used to give share of cattle fodder to the landowner as a matter of right. In addition to that, the owner had

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the right to free service from the cultivator. It is safe to conclude on the basis of the available data that the landowners used to realise either ½ or 2/3 of the produce in kind as rent from their tenants and at some places the rent recovered was higher.[107]

The land Settlement, at the same time, did not offect the powers and privileges enjoyed by *Muafidars* and *Muqqarraree-khwars,* and they continued to exploit the peasantry even with more vigour than before. The *Muafidars* more or less enjoyed the same privileges as the *jagirdars* did. They were quite a lot in number and they had big chunks of land allotted to them. They used to derive all benefits from the produce of their assigned lands and yet paid no land revenue.[108] On paper these *Muafis* were generally conferred on temples, mosques and other religious institutions but the benefit went to those who managed them. Thus the poor masses were exploited in the name of religion.

Dharmarth was the biggest religious *muafi* in the State,[109] as discussed above. The income of *Dharmarth* was derived from the old endowments and the large cash contributions made from time to time by the State.[110] However, the main assets of their fund were made up of revenues of twenty five villages in the Kashmir valley and thirty five in the Jammu Province.[111] Added to this, some income was received

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from the offerings of the temples and the interests of the surplus money invested in promissory notes or lent on loans to the state.[112] The *Dharmarth* fund was exclusively administered by or under the orders of the Maharaja. The accounts of *Dharmarth* fund were kept separate from the public accounts and were under sole management of the *Dharmarth* Officers and the *Dharmarth* treasurers.[113] As early as 1890, the total capital of *Dharmarth* fund even exceeded one half of the total annual income to the state from all resources[114]. It also continued to be the biggest money lending institution[115] in the State throughout the period under study.

Muqqarraree-Khwars were another section of privilege-holders which was a heavy burden on the State exchequer. These *Muqqarraree-khwars* were the receptionist of cash grants from the state Treasury, and which were drawn by them in six monthly installments. The *Muqqarrarees* did nothing and were a dead weight on the resources of the State, generation after generation.[116]

There is a strong evidence to show that the middlemen continued to indulge in corrupt practices in collaboration with the revenue officials.[117] In particular, the collection of *rasum* continued to be the rule rather than an exception.[118]

Jurisdictional jagirs:-

The agrarian reforms of Pratap Sigh's reign did not, however, affect the life and condition of the

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people living in the Jurisdictional *jagirs*. They continued to live under the tyrannical rule of their rulers and their condition, in certain cases, was even worse than other people of the State.[119]

Poonch *Illaqa,* as discussed in previous Chapter, was the biggest jurisdictional *jagir* in the State, which contained more than 1/10th of the total population of the State, with 2% total area of the State.[120] The powers of Raja of Punch, at least in theory, were rather restricted. He asserted a loose sort of dominion over the lands. He could not interfere with the management of lands held in *jagir* by him. His rights were governed by the stipulations embodied in the *Sanads.*[121] But practically the Raja enjoyed unlimited powers and people suffered under him all these years.[122] It is no surprise, therefore, that the people living in his *jagir* were greatly agitated. The peasants of Bagh and Sudhvoti *Tehsils* and particularly the peasants belonging to the Sudhan tribe were chiefly dissatisfied. They raised their voice against oppression time and again but to no avail. Though settlement was made in the *jagir* in 1906, it did not grant ownership right to the cultivators.[123] But the cultivators of Thakiala-Parawa in *Tehsil* Mendhar who were mostly Dogra Rajputs, were granted these rights in lands held by them. This discriminatory treatment stirred bitter feelings of discontent and dissatisfaction amongst the peasants of other parts of the *jagir.*[124]

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Another such *jagir* was that of Chenani. Here again the Raja was too powerful because he himself was "the ruler, the Magistrate, the police officer and the controller of supplies."[125] The 'Raja' continued the process of exploitation throughout the period. The State began the work of Land Settlement in his *jagir* in 1912. [126] But the Settlement work made very slow progress because the Raja had unjustly appropriated the lands of the people, encroached upon the 'waste lands' and grazing pastures, extended his hunting preserves, transferred *Jagir* lands to his wife and son and acquired cultivators' lands for himself by coercion and at nominal price.[127]

Begar:

Begar or the system of forced labour remained one of the most pronounced features of the Kashmir administration under Pratap Singh. The sufferings of the villagers of Kashmir were much greater in the late 19th century, mainly due to the construction of Jehlum Valley road and the Gilgit Road. Thousands of them were forced to work for the successful completion of these roads since their construction was considered to be of vital importance for the interests of British Imperialism.[128] The labourers had to carry from Srinagar the food and other supplies to the State garrisons posted at Gilgit and beyond. The condition of *begar* labourers was very apathetic especially during winter months owing to heavy snowfall. No arrangements were made for the feeding or housing of the *coolies* in the course of their journey; with the

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result many of them died on the way owing to exposure and disease. The Srinagar-Gilgit track was rightly described as 'the Siberia of Kashmir.'[129] The conditions of the Kashmiri villagers worsened during the Frontier wars when a large number of them were seized for *begar* so as to serve the British interests. It is difficult to say how many of the villagers died of cold and disease; how many died of starvation; how many fell into the river or were beaten to death by the Dogra soldiers; or how many were sold as slaves in Dardistan or other parts of Central Asia. But their number must have been very large because there is both documentary and circumstantial evidence to support our contention. To be pressed into services on the Gilgit road, according to one observer, was the equivalent of being sent to a Siberian Salt Mine.[130] 'Men and Mules died like flies' on their way to Gilgit.[131] the burden fell only on the Muslim villagers of Kashmir, as the city people and Pandits were exempted from *begar*.[132]

Although Walter Lawrence was critical of *begar*, he was convinced that its total abolition would bring about the collapse of the transport system of the valley.[133] He, therefore, recommended the abolition of *begar* in its most objectionable form.[134] It was due to Lawrence's efforts that the State Council framed the rules for controlling the labour required for carriage of essential commodities by the labourers. In a resolution[135] passed on 18 April, 1892, it was laid

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down that no one would be engaged as Coolie unless he:

a) had obtained the age of 18 years;
b) was physically strong and fit for duties;
c) entered the service willingly;
d) provided a good conduct certificate from the *Tehsildar* of the district.

It was also laid down in this resolution that an additional cess of one Anna in Jammu and half an Anna in Kashmir for each rupee of land revenue paid by the cultivator belevied to meet the cost of the transport Department and a force of one thousand labourers and 200 pack ponies to be permanently employed. A coolie was to be paid Rs 5/- per month.[136] The duties of Coolie would consist of.

a) a regular attendance;
b) punctual and safe transmission and delivery of loads to and fro at a stage;
c) Collection of fuel and grass when not employed in transport work;
d) Repairing roads when required to do so;
e) Conveyance of *Shali* from place to place when necessary and all other works required of him by the Governors under the guidance of General Member.

Although the State Council's legislation and the completion of the Jehlum Valley and the Gilgit

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roads provided some relief to the peasants, the system of *begar* continued to exist until 1923 when it was officially abolished.[137] But what is of interest to note is that henceforth *begar* took the form of *Kar-i-Sarkar*. Under this system, the villagers were required to render services to the State whenever demanded. No wonder the officials of the state exploited the institution for their private purposes. They used to "employ villagers to carry their luggage free of charge over long distances and intend on the villagers for services without any rem uneration.[138] Even the menial staff in the government offices was exploited by their superiors in the name of *Kar-i-Sarkar*.[139] The severity of the labour requisitioned for the state purposes was no less than that of the forced labour, and the condition of peasantry under the *kar-i-Sarkar* grew from bad to worse than it was under the *begar*.[140] It is not therefore surprising that the *Chakdars* continued to employ forced labour for the purposes of cultivation until the early thirties when the peasantry, under the leadership of Sheikh Mohammad Abdullah, raised a banner of revolt against the feudal regime.

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REPERENCE

1. J&K State Archives, Pol.deptt.No45 of 1889.
2. Andrew wingate, *Preliminary Report of the Settlement operation in Jammu and Kashmir,* 1888, pp.530.
3. *Ibid.*
4. *Ibid.* See also W.R. Lawrence, *The Valley of Kashmir* , pp. 430-32.
5. For details, See also Supra Chapter I.
6. It is pertinent to note that the Kashmir Valley was still considered to be a 'prized colony, by the Dogra rulers and any voice that was raised in favour of more rights for Kashmiri peasants was described as an act of treason in the Durbar. Robert Thorp lost his life as he had raised his voice against the atrocities of the Dogra Raj. It is suspected that Robert Thorp was poisoned by the State officials, as he had refused to leave the State. for details, See S.N. Gadru, *Kashmir Papers,* p.VII.
7. E.F. Knight, *Where Three Empires Meet,* p.29.
8. *Ibid.,* pp.400-02.
9. *Ibid.,* pp.405-11.
10. *Ibid.,* p. 424.
11. *Ibid.,* p.400. See also *imperial Gazetteer of India,* Jammu and Kashmir State, 1924; Arthur Neve, *The Tourists Guide to Kashmir, Ladakh, Skardu etc.,* p.VIII; M. Hashmatullah Khan, *Mukhtasir Tarikh-i-Jammu etc.,* p.75. Francis Younghusband, Kashmir, pp 190-92.

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12. Walter Lawrence, *op.cit.*, p.433-34.
13. Lawrence, *op.cit.*, p.417.
14. *Ibid.*, p.436.
15. *Ibid.*, p.434.
16. *Ibid.*, p.435.
17. *Ibid.*,
18. *Ibid.*, p.436.
19. W.S. Talbot, Note on Settlement Policy and operations of the Jammu and Kashmir State, *1906*, p. 1
20. *Ibid;* see F. Younghusband, *op.cit.*, p.188.
21. *Assessment Report of Sri Pratap Singh Pura,* 1902, pp.8 and 52.
22. *J&K state Archives*, Pol. Deptt. No 56/H-73 of 1902.
23. *Assessment Report of Sri Prtap Singh, Pura,* 1902, pp.8 and 85.
24. W.S. Talbot, *op.cit.*, p.1.
25. J&K State Archives, Pol. Deptt. No. 56/H-73 of 1902.
26. *Assessment Report of the Kathua Tehsil*, 1924, p.5.
27. Lawrence, *op.cit., p.436.*
28. W.S. Talbot, *op.cit.*, p.3; J&K State Archives, Pol. Deptt. No.64 of 1905.
29. W.S. Talbot, *op.cit.*, p.3; See J&K State Archives, Pol. Deptt. No.135/L.R. of 1902.

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REFERENCE

30. John W. Salmond writes, "We may define the right of ownership in a material thing as the general, permanent and inheritable right to the uses of that thing." *Jurisprudence,* p. 395. Salmond further adds, "The full power of alienation and disposition is an almost invariable as element in the right of ownership, but cannot be regarded as essential, or included in the definition of it," *Ibid.*
31. I.H. Qureshi, *The Administration of Mughal Government* , p.287; Y.N. Day. *The mughal Government* ,p.99; sir Jadunath Sarkar, *Mughal Administration,* p.51-60; W.H. Moreland, *The Agrarian System of Muslims India,* p.117.
32. Abdul Fazl, *Ain Akbari*, p.291.
33. *Ibid.*,p.292
34. *Ibid.*, p.297.
35. *Ibid.*.p298.
36. *Ibid.*, p.300.
37. M. Ishaq Khan, *Perspectives on Kashmir, Historical Dimensions*
38. See above.
39. J&K State Archives, Gen. Pol. Deptt. No. 191/H-75 of 1918.
40. O.N. Dhar, *op.cit.*, p.74.
41. Lawrence, *op.cit.*, p.411; D.K. Joshi, *A New Deal in Kashmir* , p.20.

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42. *Punjab Administration Reports*, 1878-79, pp.2-3; W. Barton, *The Princes of India*, p.122; Mohd. Ishaq Khan, *History of Srinagar,p.23.*
43. *Civil and Military Gazette*, Sept. 5,1878, p.l; E.Neve, *Beyond the Pir Panjal, p.265.*
44. NAI/Foreign, See. E, March 1883, No. 86.
45. Lawrence, *op.cit., p.215.*
46. In the words of Egerton, Kashmir became "a Vast slave-worked plantation." Report of Egerton, the Deputy Commissioner of Kangra Distt., Punjab Govt., Records, 1863, p.28.
47. A. W ingate, *op. cit., p.* 1 7.
48. *Ibid.*, rule 10.
49. *Lawrence*, op.cit., p.432.
50. *Ibid.*
51. *Ibid.*, pp.431-32,
52. *Ibid.*
53. In this case the cultivators had to get sanction from the State Government through an officer specially constituted for this purpose. A. Wingate, *opcit.*, Rule 35.
54. J&K State Archives, Pol. Deptt. 11 No.35/H-64 of 1905; Younghusband, *op.cit., p. 188.*
55. *Perspectives on Kashmir: Historical Dimensions.*
56. J&K State Archives, Gen. Pol.Deptt. No.45of 1892.

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See Appendix II.

57. J&K? State Archives, Gem. Pol. Deptt. N. 67 of *1894; Adm. Report* 1892-93, p. *IV Administration Report* 1893-94. P. VII.

58. *Valley of Kashmir* p. 439. Younghusband, *op.cit., p.91.*

59. R. Logan, *Report on the Financial Administration of Kashmir State, 189* 1, p.25.

60. A. Neve, *op.cit,* p. VIII; *Administration. Report 1890-91,* p.47.

61. Progs. Of the Jammu and Kashmir State Council, 27'h Oct. 1903, p.2

62. J&K State Archives, pol. Deptt. No. 35 of 1905.

63. N.D. Nargis, *Tarikh-i-Dogra Des,* p. 627; NAI / Foreign, Pol., July 1863, Nos.73-75, pp.5-6.

64. Progs. Of the Jammu and Kashmir State Council, Oct.27, 1903, p.4.

65. *Valley of Kashmir, p.4.*

66. *Ibid.,* p.427. III. Sce Appendix 111.

67. *Gazetteer of Kashmir, Ladakh, etc.,* p. 146., *Valley of Kashmir,* p. 402; *Administration. Report* 1892-93, p. 1 17.

68. *J&K State Archives, Pog. Deptt. No.35 of 1905;* Administration. Report *1889-90, p.61.*

69. *Imperial Gazetteer of India,* Provincial Series, *op.cit.,* p. 1 39.

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70. *J&K State Archives, Pol.. Deptt. No. 35 of 1905.*
71. *Imperial Gazetteer of India, op.cit.,* p.139.
72. W.S. Talbot, *op.cit.,* pp.1-12. *Administration. Report* 1912-13, p.5; *Administration. Report* 1914-15, p.6.
73. *Administration. Report 1918-19,p.4.*
74. The table has been prepared by the author after consulting the reports: (1) *Administration. Reports* 1890-91 to 1905-06., (ii)*Financial Report* 1905-06; (iii) *Ann. Report of the Settlement Deptt.* For the years 1976 and 1981., (IV) *Adm. Reports* 1911-12 to 1925-26.
75. *Kashmir* p.187.
76. *Royal India,*p.256.
77. *Beyond the Pir Panjal,* p.311.
78. *Where Three Empires Meet,* p.42.
79. *Tr. Adm. Reports 1920-23,* p.38.
80. *A Brief Note on Jammu and Kashmir State,* 1927, p.3; *A Note on Jammu And Kashmir State,* 1928, p.5; *Adm. Report* 1889-90, pp.44-45.
81. *Valley of Kashmir* , p.450.
82. The so-called prosperity of the peasants has also been discussed in the next Chapter: Money Lending System.
83. J&K State Archives, Pol.. Deptt. No.35 of 1905.
84. J&K State Archives, Pol.. Deptt. No.45 of 1892.

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85. *Assami* means a superior tenant holding land directly from the State.

86. M.A. Beg, *Agricultural Reforms in Kashmir* ,p. 52.

87. *J&K State Archives, Gen Pol.. Deptt. No.45 of 1892.*

88. *Census Report of India,* 1911, Vol, XX Part I, p.8.

89. J&K State Archives, Gen. Pol. Deptt. No. 45 of 1892.

90. Adm. Report. 1893-94 p. VII.

91. J&K State Archives, Gen Pol. Deptt. No .67 of 1894.

92. *Pattadar* means the person who were granted land on *Patta* i.e., a written grant, by the State Government. The Committee for *Jagirs* and *Muafis* appointed by the State in 1929, classified *Jagirdars* as the persons enjoying *Jagirs* of Rs. 3000 or above per annum, and those enjoying below Rs 3000 per annum were called *Pattadars.*

93. It should be borne in mind that these extra *Jagirs* were to be given in Jammu to *Jagir* holders from Kashmir and in Kashmir to those from Jammu. It further made *Jagirdars* dependent upon state and therefore more loyal to the Maharaja..

94. J&K State Archives, Gen.Pol. Deptt. No. 45 of 1892.

95. *Agricultural Reforms in Kashmir* ,p.32.

96. *Census Report of India,* 1911, p.8.

97. *Agricultural Reforms in Kashmir* , p:32.

98. *Ibid.*, p.52.

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99. J&K State Archives,. Pol. Deptt. No. 64/V-20 of 1923.

100. J&K State Archives, .Pol. Deptt. No. 244/E/88 of 1912.

101 J&K State Archives, .Pol. Deptt. No.117/H-57 of 1909.

102. Means self-cultivation.

103. *Nagadi* was cash rent paid on land irrespective of the crop grown upon it.

104. *Batai* was a definite share of the crop.

105. *Zabti* was cash rent for particular crops which could not conveniently be divided , at fixed rates per *Kanal* or *bigha.*

106 *Chakota* was lump gràin rent consisting of a fixed amount of grain in the spring, and a fixed amount of money in the autumn ḩarvest

107 *Agricultural Reforms in Kashmir* pp.32-23.

108 It is worthy of note that not only these *Muafidars* did not pay revenue on these free-holds but also they possessed lands in ownership also, for which they paid no land revenue.

109 J&K State Archives,. H.H. Govt. Rec. No. 18of 1890.

110 J&K State Archives,. Pol. Deptt. No. 59/F-10 of 1900.

111 J&K State Archives,. H.H. Govt. Rec. No. 18of 1890

112 J&K State Archives,. Pol. Deptt. No. 284/10 of 1916.

113 R. Logan, *op.cit.*, p.61.

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REFERENCE

114 The total capital of the *Dharmarth* institution in 1890-91 was 27.24 lakhs of rupees, while the annual income of the State during the same year was 48.45 lakhs of rupees.

115 C.R. Kiernander, *Report on Dharmarth Fund,* J&K State (1896-97), pp.1,8 and 14.

116 *Agricultural reforms in Kashmir* , pp.. 15-17.

117 J&K State Archives,. St, Deptt., No., 38/E-II of 1908.

118 For example, in Yasin, Kuh and Gopis *Lambardars and Chaukidars* were allowed *resum.* F.M. Hasnain, *Gilgit, the Northern Gate of India,* pp.115-16.

119 Sardar Budh Singh, *Jagir Shahi-Ka-Postmortem,* p.27.

120 *Census Jammu and Kashmir State* by D.N. Nagarkatti, 1927, p.7. the population of Poonch *Illaga* in 1921 was 351781 against 3320518 of J&K State.

121 J&K State Archives,. Pol Deptt. No. 139/N-316 of 1907.

122 J&K State Archives,. Pol. Deptt No. 135/H-16 of 1910.

123 Sardar Budh Singh, *op.cit.*, pp. 27-30.

124 Mirza Afzal Beg, *op.cit.*, p.24.

125 *Ibid.*

126 *Adm. Report* 1912-13 p.7.

127 *Report of the Revenue Commissioner,* cited in *Agricultural Reforms in Kashmir* , pp.20-21.

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128 Walter Lawrence says, "Once when I was going up the Sind Valley I came across some soldiers raising carriage for Gilgit. The Havildar admitted that he had torn the whole of the whisker off one man's face, and said he had done it under instructions from a Pandit deputed from the *Tehsil.* He added that the people were so disinclined to go away for two months to Gilgit, that it was necessary to tear their hair out. He saw nothing to be ashamed of, and challenged my right to interfere." Lawrence to Nisbet, Nov.13 , 1889, NAI/Foreign. Sec E, Feb. 1891, Progs., Nos. 295-326.

129 E. F.Knight, *where Three Empires Meet, p. 303. Imperial Gazetteer of India* 1908, p.78.

130 John Keay, *The Gilgat game, p. 217.*

131 *Ibid.*

132 Lawrence, *op.cit.*, p. 411-13, R. Logan, *Repot on the Financial Administration of Kashmir State,* 1891, p.27; For greater details see M. Isaq Khan, *some Aspects of Covrvee in Kashmir,* Research Journal, Vol. I, No.II, 1976,pp.58-71.

133 Lawrence, *op.cit.*, p.413, *Some Aspects of Corvee in Kashmir* p.69.

134 J&K State Archives,.Pol.Deptt. No. 35 of 1905; *Adm. Report* 1889-90, p.61. In 1889, at the height of a

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cholera epidemic eight or ten thousands coolies were sent off hastily to Gilgit and thousands of others had to pay heavy bribes to escape imprisonment. The mortality along the road from Cholera among the ill-fed, ill-clad coolies, was fearful.-Arthur Neve *The Tourist's Guide to Kashmir, Ladakh, Skardu, etc.*, Vol. VUI.

135. J&K State Archives,.(KGR), Pol. Deptt. No.34 of 1891.

136. Under Special cases, a coolie's pay could be enhanced to Rs6/- per month. *Ibid.*

137. J&K State Archives,.H.H. Pvt.. Ree. No.32 of 1923.

138. Report of the Glancy Commission, 12 Nov. 1231.

139. G. Hasan Khan, *op.cit., p.* 1 18. Also see Rashid Tasir *Tarikh-i-Hurrivat Kashmir*, p. 7 1.

140. *The Ranbir*, Jammu 9 Har S. 1983.

141. It is beyond the scope of the present research work to dwell at length on the great uprising of July 1931. The interpretation offered above, however, finds full support in Ishaq Khan, *Perspectives on Kashmir; Historical Dimensions.*

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Chapter IV

MONEY LENGING SYSTEM

Like *Begar,* rural indebtedness also remained a bleak feature in the agrarian system under Pratap Singh. The predominant proportion of all rural people in the Jammu and Kashmir State struggled under various forms of land bondage and debt. The loans were advanced to them generally by *Sahukars,*[1] *Banias*[2] and *wanis.*[3] The official sources reveal four types of money lending system that existed in the State during our period of study, namely, *Wadh, Rakh, Kul* and *Angi.*[4]

The money lending system of *Wadh* was very common in the State. Under this system the village shopkeepers, *Galladars*[5] and other moneyed persons used to advance money to the cultivators and, instead of charging interest directly, multiplied their profits at high rates.[6] The usual time for such loans was August-September and December-January because during this period the cultivators had to pay debt in grain, blanket, ghee, fruit etc. on ensuing harvest at a fixed rate mutually agreed between the parties of loan.[7] If the debtor was unable, due to the failure of

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crops, to deliver the promised grain in full, he was required to make up the accounts by calculating the price of undelivered grain according to the market rate at that time. The money, thus, calculated sometimes used to become more than double the amount of the original loan. The debt was further swelled with additional advances subsequently made, as the cultivator generally stood in need of money at every harvest. As a result of this system, the peasant was totally ruined. His whole property was confiscated by the money lender and he was turned into a landless labourer. A Kashmiri proverb regarding *wadh* system is worth quoting here:

"Zamindar Bechawiun, Wadhwal padshah". Which means Zamindar (cultivator) is a pauper, wadhwal (money lender) is the king.[8]

The Rakh system meant practically purchase of future produce of the borrower by the *sahukar* at the rates cheaper than those which prevailed in the open market. As a rule, it was two to three and, in certain cases, four to five times cheaper, which meant a very high rate of interest.[9]

Another system of money lending was known as *kul*. Under this system the borrower used to pay to money lender a certain amount as interest on the amount taken by him. The prevalent rater of *kul* was two pies per rupee for a period of one to six months.

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In some cases, the debtor was to pay interest at the rate of 12% to 25% on half of the loan and *kul* at the rate mentioned above for the other half. Calculation of the interest in some concrete cases, on the basis for the actual prices, reveals that the poor villagers had to pay under the obnoxious system an interest from sixty percent to cent per cent for a period of one year or less.[10]

Under the *Angi* system the borrower Practically became the slave of the money lender and as a result of it he had to work in the house as well as in the fields of the money lender for rest of his life getting, in turn, for his hard services, nothing but bare bread and clothing enough for his survival[11].

We do not find any reference of money lending system in Gilgit and frontier territories where the people were still under feudal system and certainly their position was no better than their counterparts in other parts of the state. In Ladakh, however, we find a money lending system, called *Zhi-Ma-Ma.*[12] Under this system the money lender used to charge one-fourth as interest on the total amount lent to the borrower.

Debt in its various forms thus contributed to perpetual thraldom. The cultivators borrowed money from the money lenders under compelling circumstances. The rates charged by the money lenders were exceedingly high and these high rates of interest rendered repayment almost impossible. Until 1906, almost sixty percent of the agriculturists were

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affected by the system of *Wadh* in several *tehsils* of the valley.[13] The rate of interest charged from them stood as high as eighty one percent per annum.[14] Almost every village was badly ridden by these money lenders who used to employ all sorts of usurious ways in their dealings with the borrower. Sometimes these money lenders took the possession of the fields, bullocks, houses etc. and, as already pointed out, the peasant was thus turned into a landless labourer.

State Policy Towards Rural/Urban Indebtness:

The state Government took several steps to relieve the masses from the evils of indebtness; it advanced certain loans to them of which most important were the *Taccavi* loans. They were advanced to the peasants for the purchase of seeds, cattle, sinking of wells and for other improvements.[15] These advances were given to the people in Ladakh for the purchase of ponies, yaks, etc.[16] The state charged no interest on the *taccavi* loans.[17] However, they were made on bonds whereby, either land or other immovable property was hypothecated to the state.[18] These loans were repayable along with the land revenue demand in half-yearly instalment.[19] Figures regarding the total *taccavi* loans advanced to the cultivators are not available in the contemporary official reports of the period.

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Grain purchase advance, introduced in 1907, was given to the cultivators if their crops were damaged by some natural calamities.[20] The grant of such a loan was, however, a lengthy process, and out of reach of a common peasant. First, the *patwari of* the area was required to inspect carefully the damaged crops and then he was to send his statement to the *Girdawar, Qanungo, Naib Tesildar and Tehsildar,* who sent their report to the *Hakim-i-Ala* of the concerned province after a good deal of investigations.[21] After *Hakim-i-Ala's* verification, the statement was despatched to the Maharaja who was the final authority in granting such advances.[22]

But the most important step in this direction was made by the state in 1913 when Cooperative Credit Societies and Cooperative Banks were established.[23] The first Cooperative society in the Jammu Province was organised on share basis and this whole organization was under the control of an officer especially trained for the purpose in the Punjab with three assistants.[24] All these officials were under the general control of an officer known as the Registrar.[25]

The Cooperative movement, started in Jammu, was soon extended to Kashmir Province as well.[26] There were 336 societies in Kashmir Province and Central Cooperative Bank at Srinagar in the year 1914.[27] The total working capital of the banks amounted to Rs 183,820 of which Rs 130,000 were

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advanced by the state Government and Rs 53,820 were contributed by the share-holders. A further step was taken in the year 1918 when three industrial societies were established in Srinagar.[28]

After the Great war, the prices of essential commodities had risen considerably and consequently, there was a large scale profiteering by the shopkeepers throughout the state.[29] So in order to prevent the high rise in the prices of the essential commodities and also to check profiteering, the cooperative shops were set up in several towns.[30]

The cooperative societies in 1922, were split into the following two heads:[31]

(1) Agricultural Societies
(2) Non-agricultural Societies.

Agricultural societies used to advance credit to their members for purchase of Cattle, payment of the land revenue demand, food stuffs, bullocks, etc.[32]

Non-Agricultural Societies used to advance credit to the artisans, traders and labourers.[33]

An administrative change was made in Cooperative Societies in 1923 when the Revenue Member of the State Council was given the general administrative control of the Cooperative Societies and the Registrar became his subordinate. This was

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done because of the increased volume of the work of these Cooperative societies.[34]

The following table will reveal the gradual increase in the number of cooperative Societies since their establishment.[35]

Year	Total No. of Cooperative Societies	Working Capital (in rupees)
1913-14	93	29,000
1919-20	643	F.N.A.
1922-23	1170	29,66,580
1925-26	1354	39,24,845

It is clear from the above that the State Government made some attempts to relieve the poor masses from the indebtness which had practically ruined them. But the question which arises is why the predominant proportion of all rural people of the State was compelled to take debts from the money lenders and other sources? How far the State succeeded in relieving the poor masses? In the following pages an attempt has been made to answer these questions.

The basic cause responsible for the rural indebtness was extreme poverty of the peasantry. We have discussed in the previous chapters how the State Government imposed heavy land taxes on the peasantry. The state demanded a large portion of

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each crop as land revenue. *Jagirdars* and *Chakdars* demanded equivalent shares out of what remained. A large number of revenue officials and village headmen had to struggle for a smaller and smaller share of the crops, despite the fact that those at the lowest level had contributed most of the toil and sweat. Thus, the cultivators were reduced to paupery. They, therefore, needed money at every harvest, to purchase seed, ploughs, foodstuffs, repair of irrigation works, and so on; and they were forced to take loans from money lenders normally at high rates.

In his brilliant introduction to an authoritative work on the agrarian history of India, Robert Frykenberg lays great stress on the extravagances of the Indian peasants and regards these as the main cause of their indebtedness.[36] He says that most of the peasants did not take debt on account of sound economic reasons. Instead of borrowing money for seed, construction of wells or repairing of irrigation work, they spend money on unproductive ceremonials and extravagances.[37]

Frykenberg`s views, however, do not seem to be valid in the case for Kashmir. During our period of study, marriage in the peasant's family never involved huge expenses, for the ceremonies associated with it were simple. Frykenberg's generalisation may hold good at macro-level. Even then we can raise a pertinent question. Had the

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peasants no right to enjoy themselves once in a while? Besides, the statement of loans advanced to the peasantry in the state in 1925-26 shows[38-] that one-fourth of the total amount of loan was advanced under sub-head, "purchase of cattle", and another one-fourth under "payment to *Sahukars*", 17% of the total was given for "payment of Revenue" and 8 ½% for "buildings". Only 5.76% out of the total amount of loans advanced in 1925-26 was placed under sub-head "Marriage".[39] These figures show that the peasants did not take debts merely for unproductive ceremonials and extravagances.

An important cause of the rural indebtness was the several natural calamities which visited the state during the period under study, resulting in enormous sufferings to more than 80 percent of the population engaged in agriculture. There occurred several floods in the state, particularly, in the valley, in the years 1891,[40] 1892,[41] 1893,[43] 1901,[44] 1902,[45] 1903,[46] 1905, 1909,[47] and 1917. These floods destroyed the agriculture, ruined the crops and created food crisis in the state. The floods were followed by horrible famines which further aggravated the sufferings of common masses. There occurred several conflagrations, earthquakes[48] and epidemics in the state in 1891, 1892, 1916,1917, 1919,1920 and 1923. They also caused a great loss of life and property to the people, reducing their capacity to work and disturbing the normal rhythm of their life.

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Nothing can be said with certainty as to how many people died due to floods, famines and epidemics, or how much material loss people suffered during the period under study, But according to one estimate, the natural calamities, from 1850 to 1925, accounted for about 1,61,784 human lives, about 17,898 cattle heads and about 18,143 houses.[49] Such losses obviously created economic crisis in the State, and the starving peasantry had no other alternative but to take more and more advances from the money lenders at exorbitant rate of interest.

The State Government did take a few steps in order to relieve the masses from the clutches of money lenders, but the half-hearted measures of the Government were a mere drop in the ocean. It seems that the Dogra administration considered floods and famines as 'Almighty's curse' upon people. It was none of the fault of the Government and so it was not responsible for the sufferings of the people. After every flood and famine, the Government used to distribute something in 'Charity' to the starving population and these so-called benevolent measures of the Government were extolled to the skies in the official reports.

It is interesting to note that the Government of India had established a "Famine Relief Fund" on the recommendation of Famine Commission of1880.[50] As early as 1887, Col. Plowden, the British Resident in

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Kashmir, had suggested that he State should leave a surplus of four or five lakh of rupees every year as the "famine Insurance Fund" on the principle adopted by the Imperial Government.[51] It was a very reasonable suggestion and if every year the state had saved so much amount for the famine stricken people, a good amount would easily have been accumulated which government could easily have spend during the disastrous years of 1891-94 when Kashmir suffered from most terrible floods and famines. But unfortunately Plowden's suggestions were not heeded.

When the people suffered terribly during the period 1891-94, the Government decided to start an emergency fund, called "Flood and Famine Fund" on the pattern of Imperial Government. The main object of this fund was to provide relief and financial aid to the famine stricken. The following table shows the State's financial aid to the famine stricken people from 1911 onwards:[52]

Year	"Flood and Famine Fund" (In Rs)
1911-12	Nil
1912-13	380
1913-14	Nil
1914-15	2820
1915-16	662
1916-17	1936
1917-18	161

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1918-19	161
1919-20	F.N.A.
1920-21	2129
1921-22	3306
1922-23	7521
1923-24	31851
1924-25	814
1925-26	1108

The table clearly shows how less the State spent to relieve the people from the atrocities of floods and famines. During this span of 15 years, the state spend almost half a lakh of rupees. It was not even one week's income of the State from land revenue during the same period.

The State Government made some trivial laws to prevent the alienation of land to the money lenders and to scale down the enormous debt. For instance, the State enacted a special law known as 'Agriculturist Relief Act., 'in order to make some kind of check on the unlimited powers of money lenders. Under the said regulation the agriculturists-debtor could bring his creditor to the court for settlement of his account. The courts were empowered to examine the account of the last 5 years to disallow the rates of interest in access of the prescribed maximum.[53] The courts had the power to see that the total interest allowed did not exceed 50%

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of the loan, and to fix installments on the basis of reasonable paying capacity.[54]

But these half-hearted attempts proved futile. The money-lender-cum-landlord could easily evade these laws since there were many loopholes in them. While the money lender could afford to seek the services of lawyers, the tenants were unable to bear the heavy expenses of litigation. Most important was the question of demand and supply; the peasant was forced to borrow so as to cultivate and pay the government. He had to approach the money lender – virtually the only agency to supply cash for his needs. In such circumstances, even the best legislation would fail to check the growth of indebtness, alienation of land to the money lender, and fantastic increases in the number of landless labourers.[55]

The taccavi loans benefited a few lucky cultivators. It was not an aid, but recoverable loan and the lands or homes of the borrower were hypothecated by the State.[56] The process of "Grain purchase Advance," also discussed above, was so lengthy and laborious[57] that it was almost impossible for a peasant to get benefits from this scheme.[58]

Whatever the tall claims of the State Government,[59] it remains a fact that the Cooperative Credit Societies failed to render any good service to the peasants. The poor cultivator who was badly in need of loan could no be enrolled as a member of the

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Cooperative Credit Society on account of his poverty. Majority of the peasants living in far flung areas of the State never heared about the existence of the Cooperative Credit Societies. The involvement of the State machinery in matter of money advances, by all available accounts, was still only nominal at the best. The money lenders continued the exploitation of the poor and needy as ever as it did. Almost every poor peasant had to groan under the weight of debt and these societies were a mere drop in the ocean. As a matter of fact the activities of the Cooperative Credit Societies were mostly confined to the cities and towns. Even in the city of Srinagar, the entrepot of trade in Kashmir, "Cooperative sale and purchase were yet in their infancy."[60] Added to this, the benefit of credit was mostly taken by the landowners and other influential people.

The Cooperative Credit Societies were not fairly distributed in the State. For example, major share was given to the Jammu Province, which had seventy two percent of the Cooperative Credit Societies located in it.[61] Similarly sixty-five percent of the total members of the Cooperative Credit Societies in the state were living in the Jammu Province,[62] and seventy percent of the total working capital of these societies was distributed among them.[63] There were no cooperative societies in the Muzaffarabad District of Kashmir Province, while Ladakh, Gilgit, Poonch and Frontier territories were totally neglected.

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REFERENCE

1. Big money lenders.
2. A Village grain dealer who also used to advance money to the poor villagers at a high rate of interest.
3. A village Shopkeeper who also used to advance money.
4. *Report on the working of the Cooperative Societies in the Jammu and Kashmir State,* uptil 16th Sept. 1924, p.3; See also K&K State Archives, Pol. Deptt. No. 37.F-29 of 1923;l Pol dept. No. 123 of 1921; Lawrence, *op.cit., p.5.*
5. A Wholesale and retail dealer in grain who also used to advance money to the cultivators.
6. Lawrence, *op.cit.*, p.5.
7. *Ibid* .,J.L.K. Jalali, *op.cit.,* p.138.
8. *Ibid.*, p.139. See also J&K State, Pol Deptt. No.37/E-27 of 1923.
9. *Report on the working of the Cooperative Societies in the Jammu And Kashmir State.* uptil 16th Sept. 1924. P.7.
10. *Ibid., p.3.*
11. *Ibid.*, pp.3and 7.
12. In the Ladakhi language, *Zhi* means capital and *Ma* means interest, i.e., capital plus interest. *Ibid* ., p.7.
13. *Review on the Assessment Report on the Six Tehsils of the Kashmir Valley,* 1905- p.11.
14. *Ibid.*

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15. *Adm. Report* 1889-90. P.47. *Adm. Report* 1914-15, p.46.

16. J&K State Archives. Pol.Deptt. No. 130/H-87.

17. *Adm. Report* 1897-98, p.243.

18. *Ibid.*, pp.243-44

19. *Ibid.*

20. J&K State Archives,. Pol Deptt. No.12/X-159 of 1907; Pol. Deptt. No. 17 of 1918.

21. Lal Bhawani Dass, *Note on Pannimar Permissions in the Kashmir Vailley*, 1907, p.1

22. J&K State Archives,. Pol. Deptt. No.12/X-159 of 1907.

23. J&K State Archives,. Pol. Deptt No. 239/F-389 of 1914.

24. *Adm. Report i1913-14*, p.40.

25. *Ibid.*

26. *Ibid.* J&K State Archives,. Pol.Deptt. No 289/F389 of 1914.

27. *Adm.* Report, 1914-15, p.41.

28. *Adm.* Report, *1918-19, p.28.*

29. J&K State Archives,. Pol. Deptt. No. 223/R.C.B. of 1920.

30. *Ibid.*, Also J&K State Archives,.St. Deptt. No. 231/D-5 of 1921.

31. *Tr.Adm. Reports* 1920-23 p.57.

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32. *Reports on the working of the Cooperative Societies in the Jammu and Kashmir State* ending sept. 1929, p.II.
33. *Tr. Adm. Reports*1920-23, p.57.
34. *Adm.report*1923-24, p.47.
35. *Tr. Adm. Reports*1920-23, p.57 and D.N. Nagarkatti, *Statistical Atlas of Jammu and Kashmir State,* 1927, p.27; *A Note on the Jammu and Kashmir State,*1928, p.30.
36. Robert F. Frykenberg, *Land Control and Social structure in Indian History,* p. XIV.
37. *Ibid.*,
38. *Third Report of the Cooperative Credit Societies,* 1925-26, p.1-6.
39. *Ibid.*
40. *Adm. Report* 1892-93, p. II.
41. *Ibid.*
42. *Adm, Report* 1893-94, p.1.
43. NAI/Foreign Extl. A. Jan . 1894 Nos. 360-62.
44. *Tri. Adm.Reports* 1898-1901, p.209, See FT.R. Swineburne, *op.cit* p.173
45. J&K State Archives,.Govt. Pol.Deptt. No.11 of 1903.
46. *Tri. Adm. Reports* 1901-04, p.213; See also J&K State Archives,. Pol. Deptt. No. 92 of 1903.

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47. One of the highest flood in the history was recorded on 23 July 1909-M.B.. Pithwalla, *An Introduction to Kashmir* p.113.

48. *Adm. Report* 1892-93, p.III.

49. Jarnail Singh Dev, *Natural Calamities in Jammu and Kashmir State from the Middle of 19th Century to 1925.* p.221.

50. Surinder Nath Gupta, *British-The Magnificient Exploiters of India,* p. 110.

51. *Plowden's Note on the Budget of Kashmir* 1887-88, p.2 J&K State Archives,. Pol. Deptt. No 31 of 1887.

52. The table has been prepared by the author after consulting Administration Reports of the years from 1911-12 to 1925-26.

53. *A Note on Jammu And Kashmir State,* p.31.

54. *Ibid.*

55. It is interesting to note here that by the end of the Dogra Raj, there were 3 lakhs landless cultivators who cultivated the land of others (about ten per cent of the total cultivated area). M.A. Beg, *op.cit.*, p.52.

56. *Adm. Report* 1897-98, pp.243-44.

57. For details, see Lal Bhawani Dass, *op.cit.*, p.1.

58. It shall not be out of place to mention here that in 1923, the State Govt Started a new scheme of "Motor

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Advance" for the State officials. Under this scheme the State granted advances to the officers of the State for purchasing motors for personal use (J&K State Archives,. Gen,. Deptt. No 237/M. of 1924). It would have been far better if the state had transferred this amount to some other necessary relief fund.

59. The state claimed in 1925, an overall increase of 1261 Societies over the figure of the first year of their establishment viz. 1913. So far as its working capital was concerned, it increased from Rs 29,000 in 1913 to Rs 39,24,845 in *1925-Report on the working Sep. 1929, p.11*,. J&K State Archives,. Pol. Deptt. No. 289/F. 389 of 1914; D.N. Nagarkatti, op.cit.,p.27.

60. *History of Srinagar p.* 81.

61. The number of the Cooperative Credit Societies in various areas of the State in 1925 is shown in the following table:

Jammu Province		Kashmir Province	
Mirpur	518	Baramulla	262
Jammu	331	Anantang	124
Udhampur	89	Ltd. No.-credit	5
Ltd. Societies	10		
Riasi	9		
Kathua	6		

Statistical Atlas p.27a.

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62. Number of the members of Cooperative Credit Societies from various parts of the State in 1925, and their working Capital:

63.

	Jammu Province			Kashmir Province.	
	Members	Capital		Members	Cap.
Mirpur	10653	1340055	Baramulla	5709	730706
Jammu	6035	1213312	Anantnag	2763	441300
Udhampur	1454	161707			
Ltd. Societies	137	12100			
Riasi	119	9503			
Kathua	109	16162			
Ltd. Non-credit	235	----			

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Chapter V

FINANCIAL STRUCTURE

There was no proper system of accounts and audits in the State of Jammu and Kashmir until the establishment of the state Council in 1889. The *Daftar-i-Diwani* which came into existence during the reign of Gulab Singh,[1] was in utterly confused order and most of the employees working in it were dishonest and corrupt.[2] The account was recorded in Persian language, frequently on loose sheets of papers. These accounts were received at irregular intervals by the *Wazir-i-Wazarat* from *Tehsildars* and also from other officials.[3] *Wazir-i-Wazarat,* too, like *Tehsildars,* used to send these accounts at irregular intervals, nominally once in a month to the *Daftar-i-Diwani* through the *Wuzara-i-Ala* or Provincial Governors.[4]

Most of the departments in the State prepared fictitious records of the accounts,[5] and thus a large portion of the public funds was embezzled by the state officials. Perry Nisbet, the Resident in Kashmir, for example, reported to the Government of India in 1889 that while the number of soldiers working in the State

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army was recorded 22,000 in official records of the Dogra government, in reality, however, the actual strength of the state forces was not more than 12,000.[6] Nisbet further says that the pay of the non-existing 10,000 soldiers was drawn by a few corrupt high officials.[7] It is no surprise, therefore, that on account of the misappropriation of finances of the high state officials, the pay of a large number of state employees was in arrears.[8] This state of affairs was mainly due to the fact that the accounts were practically never audited.[9] Furthermore, there were no rules framed by the State Government for auditing the accounts.[10]

Though budget system did exist before 1890, it was highly defective and complicated. By the end of every year, some imperfect and incorrect information was collected and the budget was hurriedly prepared.[11] No effort was made to check or test the estimates with the figures of the past years and probabilities of the next.[12] The savings made by any department by the end of any financial year did not lapse; the department could use that amount during the next year. Sometimes the State officials spent the State amount for their personal use.[13] Even after the allotment of funds to the departments, any officer could demand more funds for his department. In several cases, the actual expenditure of the previous year and the progressive expenditure of the current year were not clearly exhibited in the budget estimates.[14] Thus the whole system was faulty.

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It shall not be out of place to mention here the deplorable condition of the State currency which created acute financial problems and hindered the progress of trade and commerce. Several varieties of rupee were in circulation in the State during the 19th century. Hari Singh and Nanak Shahi rupees remained in circulation, introduced by the Sikh rulers, throughout the state; the former was equivalent to eight British annas,[15] the latter was valued at between 12 and 16 annas.[16] Gulab Singh introduced a new coin known as Chilki rupee.[17] Since it was in bad condition and encouraged counterfeiting, Ranbir Singh issued a new Chilki coin.[18] The value of the Chilki rupee was ten British annas.[19] The British Indian rupee of 16 annas was also in circulation in the State.[20] Few other currencies were also in circulation in some parts of the State.[21] The barter system prevailed in most of the rural areas.

The circulation of several types of currency caused a great deal of inconvenience to the people as well as to the State. The state currency was not accepted outside the state. Most of the traders from India or Central Asia refused to accept the State currency as its value often fluctuated. They demanded the British rupee which had a fixed value and could easily be converted and exchanged while the local currency caused great difficulty at the time of exchange.[22]

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The constitution of the Council in 1889 transferred the power and control in financial matters from the Maharaja to the British Resident in Kashmir. The Resident, being the representative of the Government of India, became the final authority in regard to the internal matters concerning finance. At the same time, the members of the State Council also enjoyed considerable powers in the financial matters. After 1892, the Accountant General emerged as the most important officer in the Finance Department. In this chapter, therefore, we shall examine the changes that took place in the financial system on account of the British influence.

Maharaja and the Council

The Government of India removed the Maharaja from power in 1889 on the plea of mal-administration and thereafter the Maharaja acted as the titular head of the State for the next 15 years. The Maharaja, during this period, was supposed not to interfere with the functions of the State Council, nor was he to have any voice in the administration of the state.[23] He received a fixed allowance annually from the State for personal use.[24] Although the Maharaja was made the President of the State Council in 1891, he was required to act according to the instructions issued to him by the Government of India.[25] In 1896, he was entitled, under a new arrangement, to receive reference made to him by the individual members of

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the Council for report and disposal[26]. In spite of this, the Resident remained the 'defacto' ruler of the State till 1905. In fact no decision on financial matters could be taken by the Maharaja without the consent of the Resident[27].

The State Council was abolished in 1905 and its members were made ministers with the same financial powers as they enjoyed eariler[28]. The Government of India, however, retained complete control over the finances of the State including taxation, *Jagir* grant, appointment to administrative services, the foreign relations, and the armed forces[29]. The powers of the general supervision of the above subject were in the hands of the Resident[30]. The annual budget of the State was prepared and passed in consultation with the Resident and any expenditure not provided in the budget could be spent only with the approval of the Resident[31]. However, the Maharaja could veto or modify any order passed by any officer of the State and also could remit any person from the payment of a tax[32].

In 1914, the Government of India extended certain more concessions to the Maharaja in respect of the financial control it still exercised in the State. The Maharaja was allowed to appropriate the following expenditure, with the approval of the Accountant General[33].

i) Proposals for non-gazetted appointment below Rs. 100 each:

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ii) Proposals to alter the pay of individual appointments within Rs. 100 per month, based upon administrative and financial grounds and not upon personal grounds;

iii) Proposals within the limit of Rs.5000 in each claim of all house rents, travelling allowances and charge allowances;

iv) Arrear claims within the limit of Rs.500 in each individual claim;

v) Extra grants within the limit of Rs.3000 for individual specific works and objects; and

vi) Changes in sanctioned establishment within the limits of Rs. 3000.

In 1919, the Maharaja was permitted to exercise the powers of sanction, veto and revision in all cases within the framework of existing rules for the transaction of the State business. The Resident's powers were also curtailed; the orders passed by the Maharaja, in certain cases, were no longer required to submit to the Resident[34].

The Maharaja regained the complete control over the finances of the State in 1921 when the Government of India restored full administrative powers to him and his newly constituted Executive Council. Though the Resident ceased to exercise any control over the finances of the State, Maharaja had to consult him regarding the financial matters concerning the frontier areas[35]

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FINANCIAL STRUCTURE

Power of the Resident

After the establishment of State Council, the British Resident in Kashmir became the real master of the State finances. The Kashmir State had to act as 'watchman' on the northern frontier of the British Empire in India, and her treasury had to bear the burden of extravagant imperial defence system. Therefore, the Resident kept, almost throughout the period under study, a firm control on the finance of the State. After the establishment of the State Council, he emerged as the supreme authority in all the financial transactions of the State.[36] The Council had to consult him in all the financial issues and he could veto any move of the Council he disliked[37]. He approved the annual budget and the expenditure not provided in the budget [38]. Reappropriation relating to all works was granted by him. In 1891, when the Mahara a became the President of the State Council, the powers of the Resident with regard to reappropriation were curtailed[39]. Even then the grants of the *Nazul*[40] property and *Nazarana* could only be made by a formal resolution passed in the State Council with the approval of the Resident[41].

In 1905 some financial powers were transferred from the Resident to the Accountant General.[42], In 1914, the Resident's control over extra expenditure was abolished and all his financial powers were given to the Maharaja, but while sanctioning such grants, the Maharaja was required to

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consult the Accountant General[43]. It was in 1921 only that the powers of the Resident over the internal administration were completely abolished and the Maharaja and his Council emerged as the supreme authority in the financial matters of the State[44]. It should, however, be pointed out that Resident continued to enjoy the supreme authority over the financial matters of the frontier territory till the end of Dogra rule in the State of Jammu and Kashmir [45].

The Accountant General

Upto the financial year of 1891-92, the disbursements and future requirements had to be ascertained, in the absence of an annual budget of States income and expenditure, through a complicated system of estimates, prepared at different times in course of financial year. The Council observed that one cause of the inefficiency of the Finance Department was that high positions were occupied by inexperienced persons who were "too old to learn."[46] Another main cause of inefficiency in the Finance Department was that men in the subordinate services were insufficiently educated and badly paid, while some other officers with good educational background, were not specially trained in financial management.

For the efficient discharge of its multifarious and exacting duties, the Finance Department needed

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competent and qualified personnel. This was not easily available in the State. so a few financial experts were brought from the British India. Most important among them was R. Logan, the Accountant General of Bombay[47]. The State Government invited Logan to make an exhaustive inquiry into the finances of the State., He was also asked to organize the Accounts Department on sound footings[48]. In his final report submitted to the Government in November 1891,[49] Logan made the following recommendations:[50]

1. The better management of Reserve Treasuries, the disposal of the Gold in stock, and the investment of surplus reserve in Government securities.
2. The better management of Dharmarth Funds by the organization of a committee of management.
3. Reduction in the Civil List, Public Works, Foreign, Revenue and General Departments.
4. Abolition of the State Modikhana[51] and the reserve Battalion.
5. A series of rulers regulating withdrawal of money on the public service from State Treasuries, and the preparation of budget system.
6. Skeleton budget estimates for the year 1892-93.
6. Proposals for the formation of an Accounts office.

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One of the most important steps in the reorganization of the State finances was the creation of the post of Accountant General in the State in 1892[52]. The Accountant General who also acted as Auditor General, was the most important officer in the Finance Department. His post was created in the State, on the recommendations of R.Logan, chiefly to help overhaul the financial administration and also to introduce a regular system of auditing, accounting and budgeting etc[53]. It was duty of Accountant General to prepare the accurate monthly and yearly accounts in the Finance Department, and also to frame and prescribe the set of rules for accounts and audit[54]. All Heads of the Departments after framing their departmental budget estimates were required to submit them to the Accountant General whose duty was to check all estimates and send them to the State Council for discussion. The different heads under which the financial transactions were to be grouped were laid down by him. He compiled the annual accounts of the whole state and submitted them to the Maharaja or the State Councils[55].

Some more powers were transferred from the Resident to the Accountant General in 1905, and, in the year 1914, he was given some more powers regarding extra grants and extra expenditure which previously were exercised by the Resident[56].

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Among the institutional innovations introduced after 1889, the most important one was the system of budget. The introduction of the budget and the remoulding of the audit and Accounts system created the infrastructure for a new financial system. A system of financial administration had to be created out of nothing. The new system, modelled on English pattern adopted in British India after Mutiny, ensured a complete review of the income and expenditure of the coming financial year and a full scrutiny of the past. It also ensured that expenditure would not exceed specific sanctions on each head of charge.

According to the new system, every head of the Department was required to send a tentative list of the income and expenditure of the department for the next financial year to the Accounts Department.[57] The accounts Department, after a careful examination, was required to send these estimates to the State Council,[58] which was the final authority to sanction the budget for the State. The State council used to pass these estimates on the basis of the average of the past year's figures.[59] Besides, several officers were authorised to reappropriate [60] funds from one department to another[61]. The Maharaja had the power to reappropriate funds upto five thousands rupees, and in 1908, the amount was increased to fifteen thousands[62]. Similarly the state ministers could appropriate funds upto two thousand rupees; Chief Justice upto rupees one thousand; Accountant General, Settlement Commissioner, Inspector General

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of Police and Chief Judges upto Rupees seven hundred each; Superintendent of Telegraph, Directors of Agriculture, and Game Preservation of *Rakhs*, upto Rupees five hundred ; while Chief Medical officer, Superintendent of Police, Director of Sericulture and *Wazirs* of Ladakh and Gilgit were authorized to reappropriate upto Rupees three hundred each[63].

The State Council instructed the State employees to record all the financial transactions regularly [64] and deposit the State dues in the State treasury[65]. Special attention was paid towards the payment of salaries to the State employees every month[66]. According to the new system, every department was required to prepare three copies of the salary bills[67]; the first two of the copies were to be sent to the Accounts Department where they were examined, passed and signed by the clerk and then by the Head of the Accounts Department[68]. The two bills were signed by the Governor and the Treasury officer and then the payment of the salary of the concerned employees could be made and as a result of it the salaries of the employees which always remained in arrears began now to be paid regularly[69]. Besides, rules were made forbidding the high officials to withdraw payment from the Treasury for their personal use[70].

The Department of Accounts and Audit was established in the State in 1892[71]. The Accountant

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General, in order to conduct the work of auditing of different departments, was assisted by several auditors[72]. He was the final audit authority in all doubtful and disputed cases[73]. He arranged for the inspection of the work of the various Audit officer through his Assistants[74]. It was the duty of Audit Department to check that money had been spent in accordance with the appropriation grants[75]. It also used to audit the bills and receipt vouchers of all the State departments[76]. Thus after 1892, all the financial transactions of the State government were audited regularly.

The Development of the Finance Department and the budget system provided an elaborate machinery for vigorous financial supervision and control. The new system of accounts and audit strengthened the Council's control over expenditure. "Finance is the strongest of all elements of Government," writes Sir C.E. Travelyan, "it naturally absorbs and remoulds all the others [77]. The improved financial machinery helped the state in making financial policies, developing different sources of income, planning expenditure, preparing budgets, and checking and inspecting the whole financial and revenue system of the State.

Thus, after 1892, all the Heads of Departments used to present an estimate of their financial requirements for administering and development of their departments to the State Government.[78] The

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State council, after much consultation and discussions, used to sanction a sum of amount under the estimate. [79] This amount was allotted to the various Departments in the beginning of every financial year. The Departmental heads or officers were bound to limit their total expenditure to the amounts sanctioned under the estimate.[80] Thus the new system laid the foundation of systematic Audit and Account System. Each Department was credited with the sum allowed by the State budget, and the expenditure was not to, generally, exceed specific sanctions. This system generally promoted economic efficiency

A significant change was made in 1897 when the British Indian currency was declared as legal tender in the State in place of the old currency. [81] It has been discussed above how several varieties of rupee were in circulation in the State during the 19th century with disastrous effects on the trade and economy of the State. After 1897, the use of *Chilki, Nanakshahi, Hari Singhi* and a few other varieties of rupee was disallowed. These coins were sent to the Bombay Mint for recoinage into the British Indian currency.[82] The following coins of the British Indian currency were current legal tender in the State. [83]

1. ***Silver:*** Rupee piece, half rupee (8 annas piece), quarter rupee (4 annas piece), and 2 annas piece. The standard weight of the rupee was 180 grains troy.

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2. ***Nickel*** : One anna piece, the standard weight of which was 60 grains troy.

3. ***Bronze :*** Single piece (quarter anna), half piece (one-eight of anna) and pie (one twelfth of an anna).

4. ***Copper*** : Double piece (half anna), single piece, half pice and a pie.

5. ***Gold Coins:*** The Sovereign and the half sovereign. The value of a sovereign was fifteen rupees.

6. ***Currency Notes :*** There were currency notes like five rupee notes, ten, twenty, fifty and hundred rupee notes.[84]

Thus the introduction of an uniform system of currency proved highly beneficial; it became convenient for the State administration to control the money circulation, and easier to keep accounts, while the merchants and the traders found it easier to handle their transactions, as the confusion of various currencies with differing values was removed .

Logan put much emphasis on the better management of the State treasuries.[85] The State council, from very beginning realized the fact that the financial system of the State could not be improved

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unless the State treasuries are managed efficiently. The strength of the treasuries, therefore, was increased in the State during the period under study and several rules were introduced for their better management. [86] There was Reserve Treasury at Jammu and *Saddar* Treasuries in both the capital cities of Jammu and Srinagar . [87] There were also a few State chests in the Frontier *illagas*, *Jagirs* and a few cities in the Punjab. [89]

The main function of the Reserve Treasury was to preserve and manage the State treasure, and also to run the general administration of other treasuries. [90] In fact, when the Maharaja's reign commenced, there were two Reserve Treasuries in the State; one at Jammu and other at Riasi. The State Council soon felt that the safety measures were insufficient in the Reasi Reserve Treasury [91] and its management cost a considerable amount. The Reasi Reserve Treasury was, therefore, closed in the year 1894 and its contents were transferred to Jammu Reserve Treasury.[92]

The Reserve Treasury had six branches and each branch looked after the following items; Jewellery, Gold and Silver Articles, *Pashmina* at Jammu, *Pashmina* at Srinagar, Gold and Silver Bullion, and Military and other stores. [93]

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The General Treasurers were primarily responsible for making in the Reserve Treasury good any deficiency in cash or other valuable. The Member Incharge of the different branches of the Treasury was required to furnish a security by hypothecating his *Jagir* and cash *muqqarrari* to the state.[94] The Reserve 'Treasury, unlike other treasuries, did not receive or pay money.[95]

The Sadar Treasury was under the charge of Treasury officer, *Tehsil* Treasury was under the immediate and executive control of the *Tehsildar*, *while Naib-Tehsildar* held the immediate and executive control of the *Niabat* Treasury.[96]

Following were the places where the State maintained its chests.[97]

1. Frontier *illaqas*: Astore, Chilas and Gupis.
2. British India: Lahore.
3. *Jagirs*: Bbadarwah and Langet.

All these Treasuries, except the Reserve Treasury, consisted of two branches, first was of Accounts which was under the charge of the Accountant of the Treasury and the second, namely, cash and stamps was under the charge of the Treasurer.[98] The Accountant General, through himself or, through his qualified subordinates, brought about inspection of Treasuries in accounts matters, but the responsibility for the proper management and

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working of the *Tehsil*. Treasuries and *Niabat* Treasuries vested entirely with the *Wazir-i-Wazarats* and no portion of responsibility rested with the Accountant General.[99]

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Chapter VI

HEADS OF REVENUE

Land revenue provided more than half of the total income to the State until the beginning of the twentieth century when the income from other sources began to increase gradually. Next to the land revenue, forest continued to remain the second largest source of income till the year 1923 when it replaced land revenue as the largest single source of income to the State. Revenue from Sericulture which formed only 5% of the total income of the State in the last decade of the nineteenth century also showed considerable increase. The income from customs and octroi increased gradually from five to fifteen per cent during the period. The state also derived a considerable income from Excise, grazing fee, stamps, State property in British India and several other taxes.

In this chapter, an attempt has been made to study various sources of income other than the land revenue to the Pratap Singh's Government.

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Grazing Fees

Though a part of land revenue, it was collected by *kahacharai* Department and its account was kept separate from the account of land revenue.[1]

With the beginning of Dogra rule in Kashmir, grazing fees was imposed upon the shepherds and those persons who grazed their cattle in pastures within the territories of the State.[2] During Ranbir Singh's reign, this tax, then known as *Zur-i-Choupan,* was imposed on goats and sheep, at 2 ½ annas per head per annum.[3] During that period , grazing lands were given to a few privileged persons on contract basis. The contractors used to deposit a prescribed amount of money in the treasury for a specified period. These contractors used to exploit the shepherds and herdsmen, and charged high taxes from them. Thus shepherds, like peasantry, also suffered a lot at the hands of these contractors.[4]

Maharaja Pratap Singh abolished the system of contract in 1887 and in its place a system of enumeration of animals was introduced. This system also, however, did not prove successful. It was difficult to calculate the strength of cattle of the villagers and, besides, there were so many chances of peculation at the hands of revenue officials.[5] The Department was finally improved in 1907 when an annual demand was fixed on each territory and the rates for the whole state were also fixed. However,

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different rates were sanctioned for different territories.[6]

The table[7] given below shows the revenue receipts from the grazing fee since the establishment of the State Council.

Year	Grazing fees Collected (in Rupees
1889-90	28,000
1895-96	2,37,347
1900-01	3,32,825
1905-06	4,84,432
1910-11	4,47,376
1915-16	4,87,194
1920-21	5,30,391
1925-26	7,17,085

The table shows that the income from grazing fees to the state increased during the period under study. The collection of grazing fees was only 28 thousand of rupees in 1889-90, but after a lapse of 35 years, the collection rose to 7.17 lakhs of rupees.

The income from grazing fees formed two to four percent of the total annual income of the State, and keeping into consideration the poverty of villagers, this rate of taxation was quite high. All persons belonging to privileged classes were exempted

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from the payment of grazing fees. While the burden fell on poor herdsmen and peasants, the members of royal family were not required to pay any grazing fees for the pastures owned by them.[8] Most of the Rajputs and Brahmins did not pay this fee,[9] *jagirdars* and other landholders were also exempted from the payment of the grazing fees.[10] The Rajas of Poonch and Chenani and the *jagirdar* of Bhadarwah, similarly, never paid any grazing fees.[11] Thus the whole burden of payment of this enormous amount of revenue fell upon the poor classes of the State.

Forest

Forest was an important source of income to the State. It remained second important source of income throughout the period under study.

The forest Department derived revenue mainly from three sources,[12] viz.,

1. Timber;
2. Firewood;
3. Kuth.

More than nine-tenth of the revenue of the Forest Department was derived from the timber.[13] The most valuable timer was *Deodar,*[14] while *Budal,*[15] *Kairu*[16] and *Dun*[17] were also valuable. *Deodar* was mainly used in constructing railways and was exported to India.[18] The timber was floated through

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River Jehlum and was collected at Jehlum town in the Punjab. The timber from Jammu Division was similarly floated through the Tawi, Chenab and Punch.[19]

The Forest Department earned considerable income from firewood. The people of Kashmir always needed it badly during the winter season.

Kuth (Saussurea Lappa) is the root of a plant and has a scent like orris with a slight blend of violets. It is found in the forests at high elevations from 8,000 to 9,000 feet. The *Kuth* root was exported to India and China. It was used in making perfumes and medicines.[20] In 1890-91, the income to the state from *Kuth* was 45 thousands of rupees.[21] The income from *Kuth* gradually increased and by the end of the period under study, it has amounted to 12.60 lakhs of rupees.[22]

The table[23] given below will reveal the amount of revenue collected under the head during the period under study.

Year	Income From Forest Deptt. (in Rupees)
1885-86	F.N.A.
1890-91	2,42,346
1895-96	8,08,887
1900-01	8,82,780

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1905-06	13,20,102
1910-11	19,37,261
1915-16	24,74,345
1920-21	41,80,483
1925-26	66,75,243

The table shows a gradual rise in the income under the head till the year 1913, when several reforms were introduced in the Forest Department on the recommendation of F.Beadon Bryant, Inspector General of Forests, Government of India, who visited the State in 1912.[24] The work of demarcation and survey in the forest had almost been completed.[25] Thus, after 1913 the income from the department began to rise sharply. Between the years 1915-16 and 1918-19, the income from forests increased by almost 50 percent i.e, there was rise of more than 13 lakhs of rupees in three years.[26] The income from forests reached 43.18 lakhs of rupees in 1922-23. This rise was due to increase in the export of timber and *kuth* to India.[27]

From 1922-23 to 1923-24, there was a further rise of 50 per cent in the income under the head. The State earned almost 18 lakhs of rupees more within a year, and the Forest Department became an important source of income to the State, leaving behind income from land revenue by almost a million of rupees.

The main cause responsible for the abrupt rise was the reorganization of the Forest Department in1924. The Department was transferred to the

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Member for Commerce and industries for administrative purpose. The Department was placed under the control of a Chief Conservator, and the existing Forest circles became conservators' charges.[28] Two new special circles were sanctioned, and thus, there were four Forest circles, instead of two, namely,[29]

1) Jammu Forest Circle
2) Kashmir Forest Circle
3) Utilization Circle
4) Working Plans Circle.

The strength of the Forester cadre was raised from 98 to 200 posts. The number of Forest Guards was also increased from 659 to 1000.[30]

Till the year 1925-26, the income under head reached 66.75 lakhs of rupees.[31] which alone constituted almost 30 percent of the income of state from all sources.

Sericulture

Maharaja Ranbir Singh had organised Sericulture in 1869 on a very large and expensive scale.[32] It was with the accession of Maharaja Pratap Singh, however, that a new chapter opened in the history of Silk Industry.[33] The Sericulture Department was established in 1897 and C.W. Walton, who possessed great experience in Sericulture, was

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appointed as its first Director.[34] In 1907, a factory with large filature containing over 300 basins for reeling cocoons[35] was established in Srinagar.[36] This brought the State a large revenue, and gave employment not only to the rural population who were engaged in Silk-worm rearing, but also to the urban population.[37] The great expansion of this industry since 1901 will be clear from the following figures.[38]

	1901	1911
1. Cocoon-rearers	6,000	25,000
2. Cocoon reared (in maunds)	13,000	40,000
3. Out-turn of all kinds of Silk and waste (in lbs.)	60,000	2,80,000
4. Average daily attendance at Srinagar factory.	900	3,700

A Silk Factory was established at Jammu in 1909. The Sericulture Industry was a state monopoly.[39] By the end of 1921, the two factories of Jammu and Srinagar employed over 56% of the total number of persons engaged in textile industries.[40] The table revealing the revenue realized under this sub-head since 1900[41] is given below.[42]

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Year	Income from Sericulture (in rupees)
1900-01	2,67,319
1905-06	F.N.A.
1910-11	17,62,516
1915-16	21,68,994
1920-21	45,37,155
1925-26	27,96,530

During the first half of Pratap Singh's reign, the income from Sericulture was under a million of rupees. It was only after the development of Silk Factory at Srinagar on modern lines that the income from the Department began to rise rapidly. The year 1913-14 was disastrous for the department as fire destroyed major portion of Srinagar factory.[43] The State suffered a loss of 15.14 lakhs of rupees.[44] The Great War of 1914-18 proved disastrous for the industry since the European Silk Market was also hit by the ravages of the war. The income from Sericulture was as low as 19.94 lakhs and 22.17 lakhs of rupees in the years 1917-18 and 1918-19 respectively.[45] After the Great War, the industry flourished and the State's revenue almost doubled within a year. In the year 1920-21, the income stood as high as 45.37 lakhs of rupees.[46] It was rather highest record of income from Sericulture during the period under study. The working of Silk industries

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was responsible for a circulation of not less than half a crore of rupees.[47]

CUSTOMS AND OCTROI

Next important item of income to the State was customs and octroi. It was third important source of income during first half of Maharaja Pratap Singh's period and fourth important source during the later half. The custom duties yielded 5% to 10% of the total revenue till 1900, 10% to 12% till 1920 and 13% to 17% till 1925.

The development of transport and communications under Pratap Singh, construction of the Jehlum Valley Road, Banihal Cart Road and the Gilgit Road, establishment of railways upto Jammu, the extensive investment of capital in industries and plantation etc. gave a stimulus to trade and commerce and thus increased income from customs to the state.

The custom duty was levied upon the goods and produce at custom posts.[48] The State of Jammu and Kashmir had a brisk trade with Central Asia,[49] frontier territories, Punjab and other parts of the British India. The State exported several items like Shawls,[50] and silk to Great Britain, France and a few other foreign countries and imported machinery, arms and ammunitions, silk-worms' eggs[51] etc. from Europe.

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The Jehlum Valley road was the only important road between the Punjab and the Kashmir Valley, and Kohala.[52] therefore, was the chief custom post. In Jammu Province, custom duty was mainly charged at Lakhanpur and Jammu railway station. The custom duty was charged from several items of export and import. The chief items of import to the State from the Punjab were the following:

> Cotton-piece goods, sugar, tea, salt, grains, metals, tobacco and snuff, oils, vegetables, arms and ammunitions, turmeric, building materials, leather, seeds, spices, dyeing materials, liquors, stationery, apparel, provisions, etc[53].

The State exported wood, raw silk and cocoons, fruits and vegetables, provisions, Ghee, wool and woolen goods, living animals, drugs and medicines, hides and skins, fibrous products and Kuth roots[54].

The rates at which customs duties were imposed were ordinarily fixed according to the percentage of the value of goods[55]. Some privileged traders and agencies were allowed to pay their duty, instead of at the bordering custom post, in Srinagar Custom post[56].

The statistics of important articles of import indicate that the bulk of imports were those of manufactured goods. The largest single item of import

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was cotton-piece goods which mostly came from Mancester and Lancashire[57] . They were mostly worn by the people living in urban areas. Some Indian made cotton was also imported but that was coarse and rough, and mostly used by the people living in village. The value of various goods imported or exported has not been mentioned separately in Annual Administration of Financial Reports. Lawrence, however, informs us that the cotton-piece goods worth 30.57 lakhs of rupees were imported in 1886- 87[58]. Their import fell to 7.32 lakhs[59] of rupees in 1900-01 but it finally reached 90 lakhs of rupees in the early twenties of the present century [60].

Sugar, tea and other articles of merchandise constituted almost twenty per cent of the total imports.[61] Most of the tea, imported from northern India, was consumed by the people of the Valley who used to drink it with salt. The state imported tea worth 2.24 lakhs of rupees in 1886-87[62], and this figure rose to 3.23 lakhs in 1900-01[63] and finally to 22.45 lakhs of rupees in 1923[64]. The import of Sugar increased with the greater consumption by the people living in urban areas. Furthermore, the development of tourist industry resulting in the influx of visitors in to the valley also explains this increase[65] The import of Sugar, therefore, increased from 3.65 lakhs of rupees in 1886-87[66] to 5.10 lakhs[67] in 1900-01, and to 26.16 lakhs of rupees in 1923[68].

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HEAD OF REVENUE

Salt was an important item on the import list. It generally formed 4% to 8% of the annual import of the State. Before 1888, most of the salt consumed in northern India was brought from Cheshire[69], England, but later due to the rapid rise in price of English salt caused by the action of the salt Syndicate, a large supply began to be furnished by Arabia and Germany[70]. In Kashmir, salt also came from rock-salt mines of the Punjab. The poorer classes in Kashmir always badly needed salt. But throughout the period under review, scarcity of salt was always experienced by the poorer people and was, therefore, a costlier item[71]. The salt revenue was creditable to the Punjab Government [72]. The revenue collected under the head "Salt revenue, Punjab," could only be deposited in the sadder Trerasuries[73]. The Treasury Officers were required to send an account of the amount realised under this head every day to the Assistant Commissioner, Northern India Salt Revenue Department, Khewra[74]. The State imported Salt worth 3.15 lakhs of rupees in 1886-87[75]. The figures of import came down to 2.56 lakhs in 1900-1901,[76] but again rose to 14.62 lakh of rupees in 1923[77]. It clearly shows there was a considerable increase in the use of salt.

Metals, grains, tobacco and snuff formed ten to twelve per cent of the total import of the State. The metals like those of copper, bronze, zinc, etc. were imported and mostly used in making cooking pots. In 1907, the state imported metals worth 3 lakhs of

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rupees[78]. Its import increased to 13.80 lakhs of rupees in 1923[79]. While grain was mostly consumed in Jammu Province, Tobacco and snuff were mostly consumed in Kashmir Province.

In 1903, in order to check smuggling and frauds in the customs duty, the state set up two weigh bridges on the Jehlam Valley road, one at Baramula and other near Domel[80] which used to record the weights of all goods passing through them[81]. But the system failed as the shortages detected by them were few and it hindered the progress of trade[82]. The machines were removed next year and the state suffered a loss of three lakhs of rupees[83].

The members of the royal family and the staff of Residency were exempted from the payment of customs duty[84].

The table[85] shows income from the customs duty during 1900-1926.

Revenue derived (in rupees)

Year	Jammu	Kashmir	Total
1900-01[86]	2,53,22	4,03,973	6,57,195
1905-06	3,63,427	3,99,155	7,62,582
1910-11	4,88,860	5,35,833	10,24,693
1915-16	5,81,836	6,05,018	11,86,854
1920-21	9,04,205	12,11,261	21,15,46
1925-26	13,05,459	20,83,019	33,88,478

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It is evident that from 1900-01 to 1925-26, the revenue from the customs duty increased from R_s 6,57,195 to R_s33,88,478. In other words there was an increase of 416 per cent in the customs revenue of the State within 25 years. The figures are also indicative of the progress made by trade during the reign of Pratap Singh[87].

Octroi Duty

Octroi duty constituted about one per cent of the total annual revenue of the state from all resources. It was levied on the goods brought from villages to the towns and the cities and vice-versa[88]. It was also called *Chungi* or *Dharat*. Previously all articles were heavily taxed at Octroi posts. After the Land Settlement, certain articles were exempted from the payment of Octroi duty. Lawrence records, "Srinagar is still liable to a certain amount of indirect taxation in the form of Octroi. Rice, the staple food of the city people, was exempted from Octroi at the beginning of 1892 on my advice"[89]. Besides rice, several other articles were exempted from the payment of Octroi duty; most important among them being coal, wood (for private use), stationery (for personal consumption), *Kuth,* animals (with the exception of Sheep and goats) etc[90].

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The octroi duty was collected by the Municipalities of the cities of Jammu and Srinagar[91]. The rates of octroi duty varied from one to three pies in a rupee. The amount collected was spent on the development of municipal works in the cities[92].

The table given below will exhibit the total octroi receipts realised from the year 1901-02[93] to 1925-26[94].

Year	Jammu	Kashmir	Total Revenue (In Rupees)
1901-02	47,656	49,588	97,184
1905-06	31,686	1,28,078	1,53,935
1910-11	32,363	1,28,078	1,60,442
1915-16	35,931	1,22,255	1,58,187
1920-21	42,323	1,63,898	2,06,22
1925-26	58,956	1,83,401	2,42,357

Excise Duty

The Excise duty was imposed on –

(a) drugs such as opium and Charas;
(b) spirits manufactured in Kashmir by European methods; and
(c) 'country liquor'

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HEAD OF REVENUE

The State of Jammu and Kashmir produced Opium of high quality and the State earned a considerable amount of money by exporting charas to India[96] During the 19th century, duty was charged on opium and it was collected at octroi posts.[97] But this system did not work successfully as opium was smuggled to India on large scale and income from charas began to decrease rapidly[98]. Thus in 1901, this system was abolished and in its place a duty at the rate of six rupees per acre was introduced[99]. The duty on the lands producing poppy was increased to 7½ rupees in 1917, and finally to Rs. 9 per acre in 1921 [100].

The revenue from country liquor was collected from contractors who paid a fixed sum of money to the state and were at liberty to open as many shops as they considered necessary[101]. The contractor was also entitled for a discount of seven percent on all purchases of liquor from the Government [102]. The contract system was abolished in 1901 when the customs and Excise Department was re-organized. Under the new system, the excise duty began to be levied on the quantity produced in the distillery or brewery. The duty was also charged as a fee on the licenses for manufacture or sale of the liquors [103].

A wine Factory was established at Gupkar, Srinagar . It was a State-owned factory and produced wine on the European methods[104] . This factory was a good source of income to the state.

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In respect of charas and hemp drugs, a contract was annually sold to the contractors by auction, which at the first instance entitled the contractor to collect as much Charas and fiber as he could by using forced labour for the purpose and he could also open shops[105] for the sale of drugs whenever The wanted. In addition to it, he was also permitted to sell the Charas, coming from Central Asia, on the payment of a duty at the rate of rupee one per *seer* levied on its import[106].

Ladakhis continued to produce *chang*[107] without paying any excise duty, as the production of *Chang* was granted an exemption[108].

The table [109] given below reveals the amount of revenue collected under the head during the period under study.

Year	Income from Excise duty (in Rupees)
1885-86	F.N.A.
1890-91	33,892
1895-96	36,720
1900-01	50,496
1905-06	1,54,587
1910-11	2,01,176
1915-16	2,11,043
1920-21	3,97,416
1925-26	3,90,688

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The figures show a gradual increase in the revenue from the excise duty. The revenue increased, particularly, after 1901 when the Department was reorganized and new system of Excise duty was introduced.

Notwithstanding a fair amount of revenue collected from the Excise duty, the state's policy in promoting trade in intoxicants proved to be harmful to the health of a considerable number of the people of the state. In 1913-14, for example, 1912 seers of opium, 1446 seers of Charas and 17256 gallons of country liquor were consumed in the State[110]

Commenting on the policy of the Government, Donald Matheson rightly observe, "The revenue from opium is obtained by the Government first by producing this destructive article, and then promoting its consumption in spite of the prohibitions and remonstrance of a weak and heathen nation..."[111]. The Anti-opium Society had begun to function in British since 1874, but no such movement ever started in the State throughout the Dogra rule. A few Indian papers criticised the opium Policy of the Government of India,[112] but no body in the state ever dared to raise a slogan against the production of such harmful articles at such a large scale. The pronouncements of the Government officials was that by increasing custom duty on country liquors, they discouraged the buyer and checked its spread.

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The State Property in British India:

The state of Jammu and Kashmir possessed large property is several parts of the British India. The property consisted of palaces, residential buildings, landed property etc. and was situated at several place, like Lahore, Delhi, Simla, Calcutta, Bombay,Dalhousie, Kangra, Rawalpindi, Sialkot and Muree[133]. The State derived some income from the landed property and as rents from several buildings. The state also used to make some profit, after selling the property at some place.

The table[114] given below reveals the income from the State property in British India since 1910[115].

Year	Income
1910-11	39,498
1915-16	53,248
1920-21	75,526
1925-26	93,671

Stamp Tax

The Stamp Tax which constituted 2% to 3% of the total revenue of the state throughout the period, was in the opinion, of the official spokesmen of the Government, a source of "Special benefit revenue."[116]. The merchants, traders and bankers who were benefited from the system of law and order

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could justifiably be taxed to pay for that expensive system.

There were two types of stamps, Judicial and non-Judicial[117]. The Judicial stamps were used in civil courts, and settlement and revenue courts while non-Judicial stamps included bill receipt stamps, hundi stamps and post and telegraph stamp[118]

Before the establishment of the Council's rule the stamps of the state had a very bad get up,, and were not printed properly[119]. But after R. Logan's recommendations in 1892,[120] the quality of stamps was improved[121]. The rates at which the stamps were sold varied from one-fourths of an Anna to rupee three hundred for a single stamp[122].

The stamp Department also earned considerable revenue under the head 'Registration' which was mainly derived from alienation of immovable property, mortgage, instruments, bonds etc. in order to have evidential value[123].

The following table[124] will exhibit the sum realised from the stamp Tax during our period under study.

Year	Revenue from Stamp Tax (in Rupees)
1885-86	F.N.A.
1890-91	96,270

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1896-96	1,40,740
1900-01	1,79,415
1905-06	2,30,623
1910-11	2,83,836
1915-16	3,56,972
1920-21	5,15,238
1925-26	5,97,185

Thus we find that there was an overall Increase of 543% over the figure of 1890-91 during our period of study.

It is important to note that while the government was quite justified in raising revenue by levying stamp duty on documents of commercial transaction viz., hundis, bills of exchanges etc., the stamp duty on judicial and legal documents such as plaints, petitions, land registration documents, etc. was virtually a tax on justice. In order to ensure official recognition of documents, the well-to-do traders and bankers willingly paid for stamp to be affixed on their documents, but the tax on people who went to the court of law to obtain justice was hardly defensible. The official view was that the costlier judicial stamp would check excessive litigation. The people, it was believed, were too fond of litigation.

Miscellaneous Taxes

The people of Jammu and Kashmir were heavily taxed during the reigns of early Dogra rulers.

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"No product was too insignificant", says Younghusband, "and no person too poor to contribute to the State. "[125] Most heavily taxed were *Shawlbafs.*[126] Shawl remained a major source of income to the State.[127] But the taxation policy of the first two Dogra rulers virtually destroyed the Shawl Industry.[128] After the Franco-German war of 1870[129] and the Great Famine of 1877-78, [130] shawl industry suffered adversely, and the tax collected from the weavers, thereafter, became quite insignificant. Similarly people from other professions were too heavily taxed. The State imposed heavy taxes upon bakers, porters, masons, carpenters, butchers, black- smiths, dyers, cloth merchants, gardeners, wood cutters, knife makers, painters, shoe makers, boatmen, weavers, cow herds, paper makers [131] and without going further into details, almost every person who did anything, had to pay a good amount of tax to the state, [132] Even grave-diggers and prostitutes were taxed, [133] and in the words of Lawrence, everything save air and water was under taxation.[134] Pratap Singh abolished a few taxes during early years of his reign, [135] while a few others were abolished as a result of regular settlement operations. Here we discuss some important taxes which continued to exist during our period of study.

Plough Tax

A tax known as "Plough Tax" was levied on ploughs of the cultivators at an uniform rate of one

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anna per plough during the reign of Maharaja Ranbir Singh. It continued to exist till 1896 when it was abolished by the State Council,[136]

Suthra Shahi Tax

This tax, also known as *Zar-i-Nikah* [137] or *Thana-Patti*, [138] was realised from the Muslims of the State for registration and celebration of marriages. The tax was levied at the rate of one rupee per marriage [139] while the registration further cost one and half a rupee. [140] Pratap Singh officially abolished the celebration tax just after his accessions to the throne [141] while the State council abolished the registration tax in 1889. [142] The report of Glancy Commission however, shows that some State official continued to impose this obnoxious tax on the Muslims of the State during the period under study. [143]

Zar-i-Meva[144]

It has been discussed above [145] how three-fourths of the annual produce of fruits was taken by the State as fruit tax After the Land settlement, new rates for different fruits were levied; Walnuts at the rate of ten annas per tree, apples and quinces at the rate of four annas per tree, pears at the rate of two annas, and apricots six pies per tree.[146]

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Chob Furoshi

This tax was levied on the timber and wood used only for fuel. The timber and wood was transported by water throughout the valley.[147]

Boat Tax

Robert Thorp, who came to Kashmir in the reign of Ranbir Singh, remarks, "Even the boatman, whose pay is only Company's Rs 2-8 a month is taxed."[148] The *Hanjis* (boatmen) were comparatively heavily taxed in the reign of Pratap Singh. During the last decade of the 19th century, the revenue realised annually from the boatmen was as follows:

House boat, from rupees seven to four; *Doonga*[149] from rupees three to one; *Khachau.*[150] rupee one and *Shikara*[151] at the rate of eight annas.[152]

The taxation rates were enhanced in 1902 i.e. for houseboat, rupees twenty one to twelve; *doogna,* rupees six to two; *Khachu* rupees two and *shikara* at the rate of one rupee.[153] The high rate of taxation continued to exist during the rest of our period of study. No wonder, the Glancy Commission criticised the taxation policy of Pratap Singh.[154] Not only had the *hangis* to pay numerous taxes on the boats, *Ghats* and electricity, even if not used, but also on the small boats in which they lived.[115]

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Taxes on Prostitutes

The extreme poverty of the people of the State forced a large section of population to sell their young girls.[156] Thus ill-famed centers of prostitution were established at several places in the State.[157] All prostitutes were supposed to pay tax to the Government. These prostitutes were registered with the State which issued licences to them.[158] According to Robert Thorp, the licence granting permission for the purchase of a girl for this purpose, cost about 100 chilkee rupees in Ranbir Singh's time.[159] In 1880, the Maharaja received from 15 to 25 percent of the whole revenue of his State from the gains of his licensed prostitutes.[160] The Administration Reports of the Jammu and Kashmir State do not reveal how much revenue the State collected from these prostitutes. But in the light of the evidence quoted above, we can safely assume that the amount collected from the prostitutes in the reign of Pratap Singh must have been considerable. This is testified by the abolition of the tax on the prostitutes in 1934 only when the State Assembly passed the Act of Suppression Immoral Traffic in Women.[161]

Mahal Singare

Ever since the inauguration of the land settlement it was customary to lease out the water surface of Wular lake in Kashmir, which was covered by Singara (water-nuts), by public auction to the

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highest bidder.[162] Thus every year the State used to collect a good amount of money from these contractors. It is not shown in the official records how much revenue was collected from the *Mahal Singara* during the period under study. Lawrence, however, states that the annual income from *Singara* in the year 1871-72 was Rs 36,615 (chilki).[163] The *Singara Kush*[164] were, however, exploited by these contractors.[165]

Tah-i-Zamini

With the development of the Jehlum Valley road, new markets came into being and we hear of a number of businessmen opening their shops at Kohala, Uri, Baramulla, etc. Since these shops were constructed on the Government land, the State used to collect rent from their owners.[166]

Chowkidar Fund

Before the Land Settlement, the village *Chowkidar* collected his salary from the villagers.[167] Lawrence introduced *Chowkidar* Fund thereafter, and from this fund salaries and other dues were paid to the *Chowkidars*.[168]

Road Cess Fund

This fund was established for the development of roads in the State and was charged at the rate of half a percent on the land revenue collected.[169]

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Duty on Traders

The State levied duty on those traders who used to visit India with some merchandise in order to sell them. Their license fees was later raised from two and half a rupee to thirty rupees.[170]

Education Cess Fund

This tax was levied for the development of educational institutions in the State.[171] In the Jammu Province, it was levied at the rate of rupee half percent on the land revenue.[172] About the Kashmir Valley, no information is available.

Municipal Fund

Municipal Fund was created in Srinagar in 1915 and the money collected from the fund was used for the development of municipal works in the city.[173]

Besides these taxes, we find innumerable references to several other taxes which the State imposed on the people from time to time, as for example, taxes like *Zur-i-Baj,*[174] *Zafran,*[175] *Mahatarana,*[176] *Hashia* and *Sadabafee* tax,[177] River tax,[178] *Zur-i-Choupan,*[179] horse tax,[180] *Zar-i-Murkab,*[181] *Chona-puzi,*[182] *Gurda Bhang,*[183] *Naoshakt,*[184] *phatak,*[185] scavenging tax,[186] shop tax,[187] tax on calf, lamb[188] etc.

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2. J&K State Archives, St. Deptt. No. G-14, of 1905.

3. Gazetteer of Kashmir and Ladakh, p. 115.

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5. *Ibid.*

6. J&K State Archives, Pol. Deptt. No. 35 of 1908.

7. The author has prepared this table after consulting the following sources:

   (i) *Admin. Reports* from 1889-90 to 1925-26; and

   (ii) Grazing Fee Scheme of the Jammu and Kashmir State, 1906.

8. Assessment Report of *Kahacharai* Fee for the Kashmir Valley with the Settlement Commissionr's Kachacharai Rules, 1927, pp. 24-26.

9. *Ibid.*

10. *Ibid*. See also Mirza Afzal Beg, *op. Cit.*, p. 10.

11. *Ibid.*

12. *Annual Progress Report on Forest Department* 1924-25, pp. 2-13.

13. D.N. Nagarkatti, *op. Cit.*, p. 19 C.

14. Its name is cedrus Libani, Var. Deodara.

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15. Its English name is Himalayan Silver Fir.

16. Its English name is Himalayan blue pine.

17. Means walnut tree.

18. Younghusband, *op. Cit.*, p. 206.

19. *Adm. Report* 1912-13, p. 65.

20. Lawrence, *op. Cit.*, p. 77.

21. *Ibid.*

22. D.N. Nagarkatti, *op. Cit.*, p. 19 C.

23. The table has been prepared by the author after consulting the following source:

    (I) *Ann. Adm. Reports* from 1890-91 to 1925-26.

    ii)a) *Ann. Report of the Forest Department of Jammu and Kashmir State* for the year S1995 by J.C.M.C. Dovell.

    b) *Ann. Report of the Forest Department of J&K State* for the year S1961 by W.H. Loreg.

    c) *Ann. Progress Report on Forest Department*, 1924-25.

24. *Adm. Report* 1912-13, p. 65.

25. *Ann. Progress Report on Forest Department* 1913-14, pp. 7-21.

26. *Adm. Report* 1915, 16, p. 68; *Adm. Report* 1918-19, p. 50.

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27. *Tri. Adm. Reports* 1920-23, p. 72.

28. *Ann. Progress Report on Forest Department,* 1924-25, p. 4.

29. *Ibid.,* p.5.

30. *Ibid.,*pp.5 and 8.

31. *Adm. Report* 1925-26, p. 71.

32. NAI/Foreign, Pol. A, K.W.Sept. 1879, Nos. 63-69; Imperial Gazetteers of India, p. 64.

33. M. Ishaq Khan, *op. Cit.,* p. 69.

34. Lawrence, *op.cit.,* pp. 367-68; See also Mohd Yousuf Baba, *An Economic Survey of Silk Industry of Kashmir Valley,* (Unpublished thesis) – Srinagar, 1972, p. 8.

35. M. Ishaq Khan, *op.cit.,* p. 69.

36. F. Younghusband has described it as "The largest silk factory in the world", *Kashmir* , p. 213.

37. Younghusband, *op. Cit.,* p. 213; *Census of India,* 1921, Part I, pp. 178-79.

38. *Census of India,* 1911, Part I, p. 65.

39. M. Yousuf Baba, *op. Cit.,* p. 8.

40. *Census of India,* 1921, pp. 178-79.

41. The figures of income from Sericulture before 1900 are not available. They are given jointly under sub-head 'Scientific and Minor Department.'

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42. The table is based on the following sources:

    (i) *Adm. Report* 1900-01

    (ii) *Adm. Reports* 1911-12 to 1925-26.

    (iii) *Ann. Reports of the Sericulture and Mulberry Culture of J&K State,* 1925-26.

43. Adm. *Report* 1913-14, p. 47.

44. *Ibid.*

45. *Adm. Report* 1917-18, pp. 23 and 30.

46. *Tri. Adm. Report* 1920-23, p. 70.

47. Wazir Man Mohan, *Silk Industry of Kashmir,* pp. 57-58.

48. J&K State Archives, H.H. Pvt. Rec. No. 21 of 1902.

49. A treaty had been signed between the State and the Government of India in 1870. According to that treaty, it was declared that duty on all goods imported or exported in bond for or from Kashmir through India would be refundable to the Maharaja in return for the abolition of all duties by the State Govt. on trade with Central Asia through his territory by the Government of India. This arrangement continued during the reign of Pratap – *Customs and Excise Manuals,* Vol. I, 1930, p. 113.

50. Shawl trade had, however, declined during Pratap Singh's reign. It did not form an important article of trade during our period of study. For details, See G.M.D. Sufi, *op. Cit.,* Vol. II, pp. 565-567; *Kashmir in Sunlight and Shade,* p. 115; NAI/Foreign, Sec. E., March 1883, Nos. 86; Bates, *op.*

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Cit., p. 59; M.I. Khan, *op. Cit.*, pp. 60-61; *Kashmir and its Shawls* (anonymous) pp. 21-22.

51. *Census of India*, 1911, Part I, p. 65.

52. Till 1885, the custom was collected at Kohala, but in 1886, the State decided to collect customs at Srinagar instead of Kohalla. But as it became impossible for the State to check smuggling, next year, custom post was again transferred to Kohala, where it continued to function till 1947. J&K state Archives, Gen. Deptt. No. 9 of 1886. See also J&K State Archives, Gen. Deptt. No. 983/C.E. of 1924.

53. D.N. Nagarkatti, *op. Cit.*, p. 22.

54. *Ibid.*

55. *Customs and Excise Manuals*, Vol. I, 1915, p. 3.

56. *Tri. Adm. Reports* 1901-03, p. 489. See also NAI/Foreign, Extl. B., Progs., Nos. 109-110 of 1885.

57. To the Lancashire manufacturers, India was the most important market. From 1882 to 1886, India imported cotton goods from Britain worth Rs 2.46 crores of rupees while from 1888 to 1893. It was worth 2.97 crores of rupees. Thus, of the total amount of Lancashire piece-goods exported from England, around 30% to 40% went to India. The government of India, in order to promote the British trade, charged a moderate duty of 10% (or even less) on them. For details, see S. Bhattacharrya, *Financial Foundations of the British Raj*, pp. 301-02.

58. W. Lawrence, *op. Cit.*, p. 394.

59. G.G. Todhunter, *Trade Report of J&K State*, 1900-01, pp. 103.

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60. D.N. Nagarkatti, *op. Cit.*, p. 22 a.

61. *Ibid.*

62. Lawrence, *op. Cit.*, p. 394.

63. G.G. Todhunter, *op. Cit.*, p. 3.

64. D.N. Nagarkatti, *op. Cit.*, p. 22.

65. Younghusband remarks that the Kashmiris were very fond of sugar so as their conditions improved, the demand for sugar and the amount of imports also increased accordingly, *op. Cit.*,p. 220.

66. Lawrence, *op. Cit.*, p. 394.

67. C.G. Todhunter, *op. Cit.*, p.3.

68. D.N. Nagarkatti, *op. Cit.*, p. 22a.

69. Sir J. Strachey, *India, its administration and Progress*, p. 120

70. *Ibid.*

71. The Government of India imposed, during our period of study, an oppressive salt duty from ten to twelve percent. The statistics of Government of India's revenues during the year 1900-01 shows that the salt tax constituted more than ten percent of the total revenue of the country. If further increased the price of salt, as its burden mainly fell on the poor classes. The official point of view was that the salt was most suitable for taxation being an article of universal consumption – the only tax, excepting Land Revenue, which the bulk of population paid to the State – For details, see. J. Strachery, *op.cit.*, pp. 119-25

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72. R. Logan, *op. Cit., p. 71.*

73. J&K State, St. Deptt. No. 36/B-II of 1910.

74. *Ibid.*

75. Lawrence, *op. Cit.*, p. 394.

76. G.G. Todhunter, *op. Cit.*,p. 3.

77. Nagarkatti, *op. Cit.*, p. 22.

78. Younghusband, *op. Cit.*, pp. 219, 221.

79. D.N. Nagarkatti, *op. Cit.*, p. 229.

80. *Ann. Adm. Report of Customs and Excise*, 1902-03, p. 1.

81. *Adm. Report* 1904-05, p. 70.

82. J&K State Archives, H.H. Pvt. Rec. No. 21 of 1902.

Adm. Report of Customs and Excise, 1903-04, p 1.

83. J&K State Archives, St. Deptt. No. 42/C-II of 1907;

Note on the Customs and Octroi Receipts, 1903, p. 4.

84. J&K State Archives, Gen. Pol. Deptt. No. 24 of 1897;

Ann. Adm. Report of Customs and Excise 1926-27, p. 21.

85. The table is based on the following sources:

i) *Annual Reports of the Customs and Excise Deptt.* For the years from 1901 to 1925;

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ii) A note on the customs and Octroi Receipts for the year 1903.

iii) The Jammu and Kashmir Customs and Excise Manual, Vol. I, 1915.

86. Figures previous to the year 1900 are not given separately. They are given jointly under the head 'Customs and Octroi'.

87. J&K State Archives, St. Deptt. No. 43/C.E. of 1924.

88. J&K State Archives, Gen. Pol. Deptt. No. 100 of 1897.

89. *The Valley of Kashmir*, p. 87.

90. Collections of paper Relating to Excise, 1901, p. 26.

91. Customs and Excise Manuals, Vol. I, 1930, p. 49.

92. Collections of Paper Relating to Excise, 1901, p. 22.

93. Figures previous to the year 1900 are not given separately. They are given jointly under the head 'Customs and Octroi'.

94. The table has been prepared by author after consulting the following sources:

I) *Trade Report* 1901-02 by Pt. Ram Kishen.

II) *Financial Report* 1905-06.

III) *Trade Report* 1911-12.

IV) *Adm. Reports* 1915-16 to 1925-26.

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V. A collection of papers relating to Customs and Octroi for the years 1901-1939.

95. *Customs and Excise Manuals*, vol. I, 1915, pp. 8-9.

96. It is interesting to note that during the Second half of the 19th century, Opium Revenue remained the second largest single item of income to the Government of India, after land revenue. S. Bhattacharya, *Financial Foundations of the British Raj*, p. 292.

97. J&K State Archives, Pol. Deptt. No. 24/F-187 of 1910.

98. *Ibid.*

99. J&K State Archives, Pol Deptt. No. 95/I-30 of 1902.

100. J&K State Archives, Gen. Deptt. No. 983 of 1922.

101. *Adm. Report* 1897-98, p. 190.

102. R. Logan, *op. Cit.*, p. 31.

103. Customs and Excise Manuals, Vol, I, 1915, p. 18.

104. A.M. Peychaud, *Report on the J&K Wine Manufactory*, 1906-07.

105. There were 61 shops selling country liquors, 64 shops of Opium and 64 shops of Charas in the State in the year 1914-15. Out of the total 189 shops mentioned above, 119 shops were situated in the Jammu Province, *Adm. Report*, 1914-15, p. III.

106. Collection of Papers Relating to Excise, 1901, p. 86

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107. A light beer which most of the Ladakhis still use.

108. Collection of papers Relating to Excise, 1901, p. 450.

109. Table is based on:

   i) *Adm. Reports* 1890-91 to 1895-96.

   ii) Annual Reports of the Customs & Excise Deptt. For the years from 1901 to 1925.

   iii) The J&K Customs and Excise Manual, Vol. I, 1915.

110. D. N. Nagarkatti, op. Cit., p. 24a.

111. What is the Opium Trade, p. 14.

112. For example, 'Friend of India' in its publication dated 9 July 1863 declared the Opium monopoly of the Government as "the approbrium of our administration."

113. *Tri. Adm. Report* 1898-1901, p. 216.

114. Table is based on the *Adm. Reports* of the following years; 1910-11, 1915-16, 1920-21 and 1925-26.

115. The figures of earlier years are not given separately. They are given jointly under the heading 'Interest'.

116. *Annual Adm. Report of Stamp Deptt.*, 1899-1900, part I.

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REFERENCE

Dated...18:5...
Acc. No...5653...
G.M. College of Education
Raipur, Bantalab
Jammu.

117. *Adm. Report* 1896-97, p. 5.

118. *Adm. Report* 1897-98, p. 255.

119. R. Logan, *op. Cit.*, p. 19.

120. *Ibid.*, pp. 19-20.

121. *Adm. Report* 1897-98, p. 256.

122. *Ann. Adm. Report of Stamp Deptt*, 1895-96, pp. 3-4.

123. J&K State Archives, Gen. Pol. Deptt. No. 16/M-17 of 1897.

124. The table is based on the following sources: (I) *Ann. Adm. Reports* 1890-91 to 1925-26; (ii) *Ann. Adm. Report of the Stamp Deptt.* From 1895-1899.

125. *Kashmir*, p. 178.

126. John Irwin, *The Kashmir Shawl*, p. 9; *Cashmere Misgovernment (Kashmir Papers*, p. 63); Bates, *op. Cit.*, p. 254; M. Ishaq Khan, *op. Cit.*, p. 58.

127. Dewan Kishan Lal writes that in 1848 the Stamp duty on Shawls amounted to 90-000 i.e. Rs 5, 06, 250 (British)- NAI/Foreign, Sec., March 31, 1846, Nos. 66-70 (MS).

128. Andrew Wilson, *The Abode of Snow*, p. 398; Richard Temple, *Journals kept in Hyderabad, Kashmir, Sikkim and Nepal*, Vol. I, p. 276.

129. NAI/ Foreign, Sec. E, March 1883, Nos. 86; Bates, *op. Cit.*, p. 59; *Kashmir in Sunlight and Shade*, pp. 115-16; *History of Srinagar*, p. 61.

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130. Lawrence, *op. Cit.*, pp. 215, 375.

131. *Ibid.*, pp. 236-37.

132. *Ibid.*, Younghusband, *op. Cit.*, p. 161.

133. *Ibid.*, NAI/Foreign, Sec. E. March 1883, No. 86; Arthur Brinckman, *op. Cit.*, (typed copy), p. 16.

134. *The Valley of Kashmir*, p. 417; See also *The India we served*, p. 134; Bates, *op. Cit.*, p. 101.

135. William Digby, *condemned unheard*, p. 139. D.K. Ghose, *Kashmir in Transition*, p. 36.

136. *Adm. Report* 1896-97, Part I.

137. *Gazetteer of Kashmir and Ladakh*, p. 114.

138. J.C. Bose, *Cashmere and its Prince*, pp. 13-20.

139. J.B. Ireland, *op. Cit., p.* 397.

140. Adm. Report 1889-90, p. 22.

141. J.C. Bose, op. Cit., p. 14.

142. Adm. Report 1889-90, p. 22.

143. Glancy Commission Report, p. 104.

144. Means Fruit-tax.

145. See Supra Chapter II.

146. J&K State Archives, Pol. Deptt. No. 224/H-47 of 1906.

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REFERENCE

147. *Gazetteer of Kashmir and Ladakh*, p. 11 4.
148. *Cashmere Misgovernment (Kashmir Papers*, p.79)
149. A large boat.
150. Boats for carriage.
151. Means small boat for passengers or personal use of *hanjis*
152. J&K State Archives, Gen. Pol. Deptt. No. 80 of 1895.
153. J&K State Archives, Gen. Pol. Deptt. No. 289 of 1900.
154. *Glancy Commission Report*, p. 1 10.
155. *Ibid*
156. *Cashmere Misgovernment, (Kashmir Papers)*, pp. 80-84. *Robert Thorp* further explains, "Sale of Children is a consequence of poverty which is produced first, by extreme taxation, and second, by the high prices of all kinds of food ....
157. Most important centres in Srinagar were Tashwan and Maisuma. M. Ishaq Khan, *op. Cit.*, p. 112. The girls were supplied to several parts of India for this purpose on a large scale. Still several ill-famed centres of prostitution in Agra, Lahore, Kanpur etc. are known as 'Kashmiri Bazar'.
158. The prostitutes were divided into three classes according to their "gratification's" and taxed

Ist Class	Company's Rs. 40 Per Annum
2nd Class	Company's Rs. 20 Per Annum
3rd	Company's Rs. 10 Per Annum

NA1 / Foreign Deptt. Sec E, March 1883; No.86.

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159. *Cashmere Misgovernment, (Kashmir Papers*, p. 80)

160. NAI/Foreign, Sec. E., March 1883, no. 86.

161. For greater details on the social reform movement launched by a barber of Srinagar against prostitution, see Tyndale Biscoe, *Autobiography*, pp. 259-60 cited in M. Ishaq Khan, *op. Cit.*, p. 113.

162. Mirza Afzal Beg, *Agricultural Reforms in Kashmir*, pp. 45-47.

163. The *Singara* labourers.

164. Lawrence, op. Cit., p. 236.

165. Mirza Afzal Beg, *op. Cit.*, p. 47.

166. J&K State Archives, Gen, Pol. Deptt. No. 97 of 1898.

167. *The Valley of Kashmir*, p. 228. Lawrence writes that even the uniform and Official Spear were provided by the villagers.

168. *Adm. Report* 1897-98, p. 245.

169. J&K State Archives, Pol Deptt. No. 153/H-80 of 1914.

170. *Glancy Commission Report*, p. 109.

171. *Adm. Report* 1897-98, p. 245.

172. J&K State Archives, Gen. Pol. Deptt. No. 76 of 1898.

173. *Ann. Report on Municipal Administration* 1915-116, p.5.

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REFERENCE

174. A licensee tax leived on the traders.

175. A special tax on Saffron.

176. The traders crossing Khardong pass in Ladakh were taxed at the rate of 3 annas and 3 pies.

177. Tax on plain Shawl-cloth and on border weaving.

178. This tax was levied on vegetables grown on floating islands in the lakes.

179. A Tax on goats and sheep at the rate of 2 ½ annas per head per annum.

180. The sale proceeds of horses were taxed at exhorbitant rate of 50 percent.

181. The Tax on ponies and mules.

182. A tax on Lime Kil ns,

183. The State shares in dried Poppy heads was three-fourths.

184. A duty on the construction of new boats.

185. A fine levied on Cattle damaging public property.

186. A duty collected from scavengers.

187. A tax on shop at the rate of 3 annas a day.

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188. On the birth of a lamb, the owner had to pay a tax of one anna. On the birth of a calf four annas were to be paid by the owner.

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Chapter VII

TRENDS IN EXPENDITURE

Among the heads of the charges the most important items were the Public Works, military and expenditure on royal family. The expenditure on public works topped the list of expenditure almost throughout the period. It was the largest single item among the heads of expenditure and amounted, to 20 to 35 percent of the total expenditure of the State.

The second important item of expenditure was the army which accounted for about one-fourth of the total expenditure of the Kashmir State in the beginning but was gradually reduced to one-seventh of the total expenditure.

The third important item was the expenditure on the Maharaja and his family which consumed from 10 to 18 percent of the State budget throughout the period.

Other heads of expenditure were the establishment of the revenue collecting agencies, public administration, education, public health, political, scientific and minor departments, police, the

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administration of justice, municipal administration, boats and stables, post and telegraph, jails, pensions and a few other minor heads of expenditure.

Public Works Department

Before 1890, there was hardly any good road leading to the Valley of Kashmir. But with the British help, the Jehlum Valley Road was completed and was opened for traffic in 1890. This road, 196 miles in length from Srinagar to Rawalpindi, was a fine piece of mountain engineering and was considered by some to be 'the most beautiful motorable road in the whole world.'[1] It took 10 years to build[2] and was completed at huge cost of Rs 21,78,870. Another important road, which connected two capital cities of the State, Srinagar and Jammu, was the Banihal Cart Road. Its construction was started in 1901[3] and completed in 1922[4] at a cost of Rs 43,00,000.[5] Another important road was Kashmir-Gilgit Road which connected Dardistan and other Frontier territories with the State and India. It was completed at the cost of 15 lakhs of rupees[6] in 1893.[7] It was during Pratap Singh's reign also that Jammu was connected with British India by Jammu-Suchetgadh road[8] while Kashmir was connected with Hazara district of the Punjab by Garhi-Habibullah Road.

Besides, several other roads were constructed during the period under study viz, the Srinagar-Tangmarg,[9] Avantipur-Islamabad,[10] Uri-Haripur,[11]

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Jammu-Akhnoor,[12] and Shalimar roads.[13] Besides roads, the State was connected with British India by railways. The railway line between Sialkot and Jammu was constructed at a cost of Rs 12.50 lakhs and completed in 1890.

The development of transport and communications gave a stimulus to trade and commerce and this increased income from Excise and Customs to the State. During the decade 1913-1923, the trade of Jammu and Kashmir State more than doubled. Its exports increased from Rs. 111.93 lakhs in 1913-14 to Rs 202.68 in 1922-23.[14] It also helped in the abolition of the system of 'forced labour' or *begar*. With the introduction of wheeled traffic and more extended use of baggage animals, considerable relief was afforded to the people in respect of the system of *begar*.

However, a large portion of the Public Works fund was mostly spent on Maharaja's palaces which sometime exceeded the total amount spent on education, public health and Municipality. For example, in 1892, Shergarhi palace was constructed (excluding Ram Singh's palace) with a cost of 3.60 lakhs of rupees while total expenditure on education, public health and municipality during the same year did not exceed one lakh of rupees.[15] A very large proportion of public work fund was spend on non-development works like the construction of Military barracks, palaces, costly *Samadhis* of dead Rajas etc.

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A large portion of the public works funds was also spent on either constructing new palaces in almost every big and small towns or on their repairs. The State could not deny the Residency its share for repairs and decoration.[16] The following table[17] reveals the expenditure incurred on the Public Works Department during the period under study.

Year	Expenditure on P.W.D. (in rupees)
1885-86	F.N.A.
1890-91	14,10,166
1895-96	12,61,732
1900-01	15,79,773
1905-06	25,33,073
1910-11	27,46,017
1915-16	29,81,414
1920-21	30,77,299
1925-26	41,11,362

The figures show that a good amount was spend on public works department, and a major share was spent under the head "Roads and Buildings."

The fact that "agriculture in Kashmir practically depends on irrigation"[18] was clearly recognized by several pre-Dogra governments; and irrigation through wells, canals, tanks, lakes and dams was an important activity undertaken especially by the Sultans of Kashmir[19] and the Mughal Governors.[20]

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It is, however, important to note that the Dogra rulers almost neglected the irrigation work. Before the year 1880 when the State took a share of the crop, it was in the interest of the Durbar to look after irrigation and to assist its repairs, which it did occasionally.

But after 1880 when the State tried to introduce a fixed assessment, the villagers were required to look after the repairs themselves.[21] Thus canals, wells and other means of irrigation were allowed to fall into disuse and disrepair.[22]

When the Land Settlement was commenced in the State, several British Officers, most important among them being Walter Lawrence, A. Wingate, Maj. Gen. De Bourbel and H.L. Rivett, made a few suggestions in order to improve the irrigation works in the State. They all stressed the importance of the construction of canals in the State. Besides irrigation, the canals were useful, especially in the valley in diverting access water from the River Jehlum to other channels during the times of flood and heavy rains. They also suggested the raising of embankments around the rivers, as they help in protecting the towns and villages from the ravages of floods. In the olden days, the villagers whose lands lay along the Jehlum, were required each year to add to and repair the embankments.[23] This excellent system fell into disuse under the Dogras. H.L. Rivett, the Settlement Officer in Kashmir, emphasized the importance of embanking

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work every year, as by doing so, "the State will escape the heavy loss of revenue and the villages to heavy loss of their crops, caused by these frequent floods."[24]

Maj. Gen. De Bourbel, the Chief Engineer of the Jammu and Kashmir State, felt that the main danger to the Srinagar city from floods was from channels of the river Jehlum that ran through the city.[25] He suggested that the channels must be made wider and deeper by trimming and raising the banks. He also proposed to open roads 50 feet wide along both banks of the river through the city at considerable height.[26]

Bourbel's recommendations, though valuable, were not accepted by the Government. A detailed survey of Srinagar city was commenced in 1889 so as to protect the city from recurrent floods, but it had to be abandoned for want of funds.[27] It is surprising that while the State spent lavishly on non-developmental projects, a little amount of money could not be spared for the welfare of the people.

Had Dogra government spent a reasonable sum of money on canals and embankments, the destruction caused by floods, famines and draughts could have been reduced. Bourbel had already warned the State that if his suggestions were not accepted "the city (Srinagar) and its suburbs are liable to be submerged in some great flood."[28] It is no wonder, therefore, that

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Srinagar along with other parts of the valley suffered throughout the period under study.

Thus it can be safely concluded that the State administration usually made saving out of irrigation works while other departments, not so useful, took more than alloted to them. For example, in the year 1891-92, Rs 5,875 was sanctioned in budget for irrigation in Jammu Province, but even out of this meagre amount, a saving of Rs 1,915 was made.[29] Similarly in 1901-02, Rs 46,900 were sanctioned for irrigation. Again a saving of Rs 12,762 was made and only Rs 34,138 were spent.[30] The State government always moved, if at all, at a snails pace when the British interests were not involved; and if they were involved, it jumped like a ferocious lion. The massive neglect of irrigation work continued throughout the last decade of 19th century.

With the dawn of the present century, however, attention began to be paid towards the development of irrigation works. In the first decade, a good amount of irrigation funds was expended on the construction of Ranbir Canal in Jammu Division. Other important canals constructed were Pratap Canal, Basant Canal and Ujh Canal in the Jammu Division, and Martand and Lal Kuhl Canals in Kashmir.[31]

The following table[32] reveals the expenditure incurred on irrigation works since 1911.

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Year	Expenditure on irrigation
1911-12	2,92,955
1912-13	2,08,717
1913-14	2,09,581
1914-15	2,61,997
1915-16	2,48,697
1916-17	1,75,809
1917-18	1,29,206
1918-19	1,68,161
1919-20	F.N.A.
1920-21	1,50,772
1921-22	2,05,644
1922-23	2,69,085
1923-24	8,05,661
1924-25	9,38,828
1925-26	7,10,632

During the decade 1911-12 to 1921-22, the expenditure on irrigation was comparably low, consuming five to ten percent of the total annual funds allotted to Public Works Department. After 1922-23, however, there was a sharp rise in the expenditure on irrigation. This was mainly due to reorganization of the public Works Department in 1922.[33] The Department was divided into four divisions, namely:

1) Roads and Buildings;
2) Irrigation;
3) Electric, and
4) Mechanical Engineering[34]

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Each division was under the control of a Chief Engineer. The first of these branches remained with

the Home Minister, while the second was placed under the Revenue Member, and the third and fourth were under the member of Commerce and Industries.[35] In 1924, the department of Public Works was put under the charge of a separate Member of Executive Council, namely "P.W.D. Member."[36] Thus the last three years of Pratap Singh's reign marked a sharp rise in the expenditure on public works as compared to the earlier period.

Military Expenditure

The average ratio of military charges to the total expenditure was in the range of 15 to 25 percent during the period under study. In the British Imperial design, the army of Jammu and Kashmir State had an important role to play; the policy regarding military expenditure was not framed solely on the grounds of State's defence need, but that of whole of India. Was the large expenditure on defence justified? Did Kashmir need such a big army? Whether state's exorbitant donation of nearly rupees one crore to Britain during the Great War was fair? We shall try to answer these questions.

By the end of 1888, the State maintained a huge army of 22,398[37] men at an annual expenditure of Rs 23 lakhs[38] which "ate up two-fifths of the

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State's revenue."[39] Although the expenditure on the army was more than the State could bear, the troops were perpetually in arrears of pay. [40]

In 1889, the State army was divided into two main units, imperial Service Corps and Regular troops; the former had to serve on the frontier[41] while the latter acted like Reserve Force. The military accounts show[42] that Imperial Service Corps used to take larger share of budget than the regular forces. This was due to the fact that the Jammu and Kashmir State provided the largest contingent of imperial Service Troops.

The accounts of first five years of the Council (viz., 1889-1894) showed deficit. The unfavorable balance of payment was due to the Government of India's extraordinary demands on the State's resources especially on a large, well equipped and modernised military to defend British empire's northern territory. It is important to note how closely the periods of Imperial expansion coincided with the deficit periods of 1889-95-wars with Hunza and other frontier States and expansion in Dardistan; and 1914-1919 --- the First World War. The unprecedented increase in the military expenditure during these periods caused financial crisis. The official verdict, during 1889-95 era, was that the Maharaja was spreading his control over the frontier states, and therefore, the burden of expenditure should fall on his treasury. The formation of the State's forces on

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modern lines with better arms and then frontier wars viz. Hunza (1891-92), Nagar (1891-92), Chilas (1893) and Chitral (1895) caused a sharp rise in the military expenditure of the Kashmir Government between 1890-95. In 1892-93 and 1893-94, the State army consumed one-fourth of the State's total budget and in 1895-96, it was the largest single item among the heads of expenditure. The expenditure was mainly on the stores, new recruits, salaries, gratuity and bonus, transport and guns etc.[43]

After 1895, the military expenditure gradually began to fall till 1903. There were several factors responsible for decline in army expenditure. Political climate began to change a good deal after 1895.[44] Durand had finally succeeded in demarcating the Indian-Afghan boundary [45] line which reduced tension in frontier tribal territories. At the same time, the Government of India had reduced all the tribal chiefs, including those of Hunza, Nagar, Chilas, Yasin, Chitral, etc. to subjugation. The politics in Europe was also taking a new turn. Great Britain, the follower of the policy of isolation from continental politics, found Germany as a new emerging rival, leaving Russia behind. An efficient police force which was established in the Kashmir State was now able to perform duties formerly assigned to soldiers. But the most important factor seems that after 1895, the State maintained the same strength of army for next 30 years and did not increase it till the end of our period of study.[46] It was basically due to same reason that

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while in the late 19th century, military expenditure accounted for one-fourth of the total expenditure of State, in the twenties of 20th century, it was reduced to one-seventh.

The retrenchment measures brought down military expenditure from the abnormal level it had gone up during 1891-95, era. In 1892-93, military charges amounted to Rs 15.97 lakhs; by 1897-98, the charges were reduced to Rs 11.96 lakhs. The credit for this goes to efficient British military officers, like Chamberlain, who reorganised the State army and carefully supervised its finances. From 1896 to 1910, the military expenditure remained almost static.[47] After 1910-11, military charges showed a slight tendency to rise, basically due to general rise in price and wages. Even during the first two years of the Great War (viz. 1914-15 and 1915-16), the military charges almost remained same as 22 years before. But the year 1917-18 marked a sharp rise in military expenditure, a rise of 70% in two years, viz. From Rs. 16.04 lakhs in 1915-16 to Rs 27.27 lakhs in 1917-18. This rapid rise of Rs. 11¼ lakhs was due to expenditure on training and equipment of the military units despatched for service in Great War. Several units of Kashmir army took part in African and Middle East campaigns against German and Turkish forces. The military expenditure increased due to training and mobilization of the State forces, transfer of Kashmir Imperial Troops for reinforcement, maintenance of the depots of the regular units at the cost of the Government of Jammu and Kashmir

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instead of the Government of India,[48] re-enlistment of officers and men pensioned or discharged with the pay and allowances, doubling of the amount of awards to recruits, continuance of pay and allowances to men reported missing or Prisoners of war, grant of pension to families of officers and men killed in action,[49] grant of wound and injury pension, and grant of extra allowance to the families of soldiers serving abroad.[50]

During the Great war; the Government of India opposed the economy measures in military expenditure of the State, since it feared that the reduction might interfere with the efficiency of the army. There was always pressure from the Military Secretary, the Resident and British army officers on the Durbar not to reduce expenditure on defence.[51] Although they favoured reduction in expenditure in the administrative branches of the military Department, the general staff, etc., they did not favour reduction in the strength of troops. The question of the strength of State forces was always considered in the context of the imperial interests of Great Britain.[52]

While the military expenditure came down to Rs 23.21 Lakhs in 1918-19[53] it again rose to Rs 26.33 lakhs in 1919-20. [54] In 1921-1922, it increased to Rs 30.14 Lakhs [55] and finally reached Rs 37.39 Lakhs by the end of Maharaja Pratap Singh's Period. [56] This rise in expenditure was basically due to the fact that the Kashmir army underwent a period of significant reorganisation between 1921 and 1924. It was also

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due to the re-armament of army , its mobilization, rise in pay and wages, transport and communications and training of the troops.[57]

The following table [58] shows the expenditure incurred under the military head since the establishment of the State council .

Year	Expenditure On military (in rupees)
1890-91	15,23,34
1891-92	F.N.A
1892-93	15,97,587
1893-94	15,62,893
1894-95	13,94,778
1895-96	13,43776
1896-97	12,86,283
1897-98	11,98,767
1898-99	11,31,611
1899-1900	12,67,420
1900-01	11,68,771
1901-02	11,05,060
1902-03	11,17,892
1903-04	12,82,867
1904-05	F.N.A
1905-06	13,82,387
1910-11	14,58,170
1911-12	15,56,734
1912-13	15,73,802
1913-14	16,63,257
1914-15	16,38,520

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1915-16	16,04,132
1916-17	F.N.A
1917-18	27,27,714
1918-19	23,21,189
1919-20	26,33,781
1920-21	24,45,429
1921-22	30,14,609
1922-23	29,18,303
1923-24	34,54,577
1924-25	36,42,640
1925-26	37,39,888

Thus these figures show that during the period under study, the military expenditure was unusually high from 1890 to 1896, as compared to the Stare's poor resources. In the period 1896-1916, the average annual expenditure was relatively at a low level. After 1917, however, it began to rise gradually till it reached the record figures of Rs. 37,39,88 in 1925-26

During the world war I, the state of Jammu and Kashmir topped the list of the Indian States in providing funds to the Imperial Government. The state showed great zeal in providing war loans to the British Government,[59] numerous was-loan meetings were arranged at the headquarters of every district and Tehsil, [60] and the state officials were encouraged to pay more and more towards the funds. A scheme was sanctioned under which the state paid for the benefit of its own revenue payers its own

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war loan certificates of the value of Rs 6 and 4 which were to be repaid to their holders with interest at the rate of 5 ½ % after three years.[62] The work of collecting subscriptions from the villagers was entrusted to local officers. As a result of these efforts, a sum of 56 lakhs of rupees was invested in the war-loans started during the war.[63] In addition to this, the Durbar's contribution towards various funds[64] amounted to Rs 15,16,600.[65] The expenditure incurred under mobilization and demobilization charges, in connection with the war, amounted to Rs 19,17,435. [66] Besides, the State made several other contributions to the British government during the Great war. [67] In Sum, then, the contribution of the State towards Imperial government during the great war of 1914-18 was not less than one crore of rupees.

The State also outnumbered other Indian States in providing recruits for the imperial troops. Over 51,000 men were recruited from the State.[68] In addition, the regular troops of the State fought in many war theaters. [69] Several facilities and attractive concessions were provided to those who joined the army.[70] Exemption from Begar was granted to their near relatives. [71] A good amount of money was provided to each recruit as subsistence allowance. Jagirs were granted to them.[72] Exemption from the payment of excise duty was granted on all articles brought by soldiers, and number of awards and allowances were also promised to the new recruits. [73]

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In 1896, an Indian regiment was sent to Mombassa, on the coast of East Africa. The India office had then protested; "There is no justification for charging upon Indian revenues any portion of the cost of this force so long as it is employed out of India and for purposes exclusively imperial. "[74] Similarly no interests of the Jammu and Kashmir State were involved in the operation in Africa and Middle East during world War I; there was no rivalry between the State and the Germany or Turkey. Therefore, if the State troops were employed at an unhealthy place like Tanganika in the worst season of the year in order to avoid risk to British troops, the State, at least, should not have been asked to bear the expenses in any respect. But the fact remains that the Jammu province provided nearly twice as many fighting men as the States of Hyderabad, Mysore and Baroda put together.[75]

No wonder, agriculture in poonch and several parts of Jammu province suffered because almost all the able bodied persons had joined the armed service.[76] The annual income of the State was far less than the revenues of Mysore, Baroda or Hyderabad states.[77] In spite of this the State's expenditure on troops and contribution towards war-loans amounted to over a crore of rupees. This exorbitant amount was collected from poor peasantry, as more than 85% income of the State was derived from poor peasants in the shape of revenue, customs and other taxes. True, larger share of war loans was contributed by landlords, *Sahukars* and the state officials, but they also, in turn, derived the wealth from the impoverished peasantry.

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Maharaja and his family

The expenditure on the Maharaja and his family was one of the heaviest items of expenditure in the State's budget. Generally it remained the third important item of expenditure during the period under study, with the exception of the years 1921-22 and 1925-26 when it was the largest single head of expenditure in the State. During the years 1901-03, 1915-16, 1920-21 and 1922-23, it occupied second position in the list of expenditure.

The expenditure under this head was incurred mainly on the allowance to the Maharaja, his brothers and other members of Royal Family. A good amount was spent as the salaries to palace guards, palace attendants and private servants of the maharaja and his family. *Modikhana*[78] consumed a major share out of the allotted fund and supplied provisions[79] for Maharaja's kitchen, private servants, attendants, stable, cattle, and reserve battalions.[80] The members of royal family spent enormous amount while travelling in India or abroad. All these expenses formed a part of the Maharaja's civil list. The following table[81] will exhibit the expenditure incurred by the Maharaja since the establishment of the State Council.

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Year	Expenditure on Maharaja's Civil list (in rupees)
1890-91	7,54,000
1891-92	F.N.A.
1892-93	9,44,863
1893-94	8,88,487
1894-95	11,50,502
1895-96	9,23,917
1896-97	8,16,232
1897-98	9,18,712
1898-99	9,97,468
1899-1900	9,30,697
1900-1901	8,46,295
1901-02	14,43,019
1902-03	15,32,371
1903-04	12,98,540
1904-05	F.N.A.
*1905-06	10,87,000
1910-11	10,44,837
1911-12	10,48,418
1912-13	15,54,905
1913-14	F.N.A.
1914-15	13,90,287
1915-16	21,03,003
1916-17	F.N.A.
1917-18	14,37,294
1918-19	18,91,283
1919-20	17,25,906
1920-21	29,76,721
1921-22	32,82,576

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1922-23	34,10,220
1923-24	31,94,255
1924-25	16,45,828
1925-26	44,39,020

When Pratap Singh ascended the throne in 1885, there was no check on his power and he consumed almost 15 percent of the total budget for his civil list.[82] His allowances were not fixed in the beginning, and he could draw money from the treasury to any extent.[84] Soon after his accession the Maharaja withdrew 34 lakhs of rupees from the Riasi Reserve Treasury and spent this amount on his civil list.[85] In 1888, the Maharaja submitted a list of allowance drawn by him. The amount exceeded 11.35 lakhs of rupees.[86]

The State Council, in 1889, transferred the power and control in financial matters from the Maharaja to the Resident. The expenditure on the Maharaja and his family was largely reduced. An annual allowance of 6 lakhs of rupees was fixed on him by the Government of India.[87]

In the year 1890-91, 7.54 lakhs of rupees were spent on the civil list.[88] Main items for expenditure were 6.71 lakhs [89] as allowance to the Maharaja and his family, 18,000 of rupees for travelling allowance and 26 ½ thousands for other expenses of the Maharaja's family.[90]

The Maharaja regained some more powers in 1891 when he became the President of the State

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Council. The rate of his allowances was increased; the Maharaja got eleven thousand of rupees for Jewelry and one thousand for purchase of medicines for his personal use.[91] The Maharaja could also get an extra grant of five thousands of rupees.[92]

During the decade 1890-1900, the expenditure under the head was highest in the year 1894-95.[95] The amount had swelled to 11.50 lakhs of rupees.[94] Major portion of the amount was spent on the marriage of Raja Ram Singh and Bua Sahiba.[95]

In 1898-99, there was a slight rise in the expenditure as compared to previous year. It was mainly due to the trip of the Maharaja and his brothers to Calcutta in 1898.[96]

From 1902 to 1912, the annual expenditure on royal family remained around a million of rupees. But the figures of 1912-13 show an increase of 50 percent as against the figures of previous year.[97] The increase of half a million of rupees was due to the Maharaja's debts and an increase in his allowance.[98] Similarly the figures of 1915-16 show a rise of 50 percent as against the figures of 1914-15.[99] This abrupt rise of 6.90 lakhs of rupee was due to expenditure on the wedding of Raja Hari Singh.[100] Again in 1918-19, the expenditure on the Maharaja's civil list reached 18.91 lakhs of rupees as compared to 14.37 lakhs of 1917-18.[101] This increase was due to the Maharaja's lavish contribution towards the war Fund.[102]

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After 1920, there was an abrupt rise in expenditure on the Maharaja's civil list. Till then the Resident had some control over the finances of the State and it was difficult for the Maharaja to spend money lavishly.[103] But after 1920, when the Resident ceased to exercise any control over the finances of the State, the financial powers of the Maharaja increased and he immediately almost doubled his expenditure.[104] Thus, in the year 1920-21, the amount reached 29.76 lakhs of rupees as compared to previous year's figures of 17.25 lakhs.[105] By 1922-23, the expenditure on the Civil List reached 34.10 lakhs of rupees.[106] The allotted budget under the head was mainly spent on donations to the British Government. The allowances of the Maharaja and other members of the royal family were increased while the wedding ceremony of Raja Hari Singh also took a major share.[107]

In the last year of Pratap Singh's reign, the Civil List was the largest single item of expenditure.[108] The amount of expenditure exceeded 44.39 lakhs of rupees. The rise was due to unexpected expenditure on the funeral and Raj Tilak ceremonies of the Maharaja and Hari Singh respectively.[109]

The Settlement Department

The land Settlement was one of the most significant events of Pratap Singh's reign, and the settlement Department, therefore, consumed a good

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amount of the State's budget, viz. Five to seven percent of the total annual expenditure of the State. After A. Wingate, Walter Lawrence commenced the land settlement operations and completed it at a cost of 3.37 lakhs of rupees.[110] The table given below reveals the expenditure on the Settlement of the Kashmir Valley:[111]

Year	Villages measured	Expenditure (in rupees)
1887	193	12,835
1888	389	26,932
1889	321	33,153
1890	483	24,407
1891	302	15,754
1892	394	21,674
1893	346	8,903

The settlement operations were revised in 1898 and completed in 1905.[112] Besides Settlement and re-settlement operations, the Department spent a good amount of money on the establishment and salaries of the Settlement employees.[113] The settlement Department was a big establishment. The Settlement Commissioner, who was also the chief Settlement Officer was assisted by a few Assistant Settlement Commissioners. Then there were Settlement Officers with perhaps one or more Assistant Settlement Officers, and various subordinates called Superintendents of settlement, Inspectors, Record-keepers, Surveyors, etc. *Taccavi* loans were also

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provided to the peasants out of the grant of the Settlement Department.[114]

The expenditure incurred on this Department is given in the following table.[115]

Year	Expenditure on Settlement Department (in rupees)
1890-91	F.N.A.
1895-96	3,14,940
1900-01	4,67,620
1905-06	6,12,000
1910-11	6,93,692
1915-16	7,59,716
1920-21	9,63,046
1925-26	9,46,874

Political Department

The Political Department consumed almost three percent of the total State budget. The main function of the Department was the reception and entertainment of the distinguished State guests. It also had to look after the expenses incurred on *Toshakhana Jinsi,*[116] Game preserves, Dak Banglows and the State's representatives in India and Poonch.[117] *Khillats*[118] and subsidies were also awarded from the funds allotted to the Department.

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TRENDS IN EXPENDITURE

Several rulers of the Indian States, Viceroys of India, royal princes and other distinguished officials of the Imperial Government visited Kashmir frequently during the period under study, and a lot of the State's financial reserve was wasted on their reception and entertainment. As a matter of fact, Kashmir had become a pleasure-ground for the British Officers who always enjoyed the hospitality of the State Government at the cost of the tax payer.

The following table shows the expenditure incurred under this head from the year 1895-96" to 1925-26.[120]

Year	Expenditure on The Political Department (in rupees)
1895-96	1,73,629
1900-01	2,36,099
1905-06	4,23,789
1910-11	7,85,579
1915-16	3,29,912
1920-21	4,36,651
1925-26	3,38,153

Lord Dufferin was the first Viceroy of India to visit the State during the reign of Pratap Singh.[121] The State spent an enormous amount of one lakh of rupees on his reception in 1888.[122] Lord Lansdowne visited Kashmir in 1891.[123] Lord Ampthill, the acting

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Viceroy, visited in 1904,[124] while Lord Curzon visited Jammu next year to confer more powers on the Maharaja.[125] Lord Hardinge visited the state in 1912[126] and, again, in 1915.[127] Lord Chelmsford visited the State in 1918[128] and 1921 respectively,[129] in order to confer full powers on the Maharaja. In the same year the Prince of Wales visited the State.[130] Thus in the year 1921-22, the expenditure on the political Department amounted to 10.91 lakhs of rupees which exceeded annual expenditure on either education or Public Health. Lord Reading was the last Viceroy of India to visit Kashmir in the life-time of Pratap Singh.[131]

The Maharaja, alongwith a big escort and high state officials, visited several parts of India in the year 1886, 1891, 1898, 1901, 1906, 1912,1916 and 1924.[132] His last visit to India took place in February 1925 when he visited Lahore.[133] Raja Hari Singh visited Europe after the end of the world War I.

According to the Treaty of Amritsar, the state had to pay an annual tribute of one horse, 12 perfect Shawl goats of approved breed and three pairs of Kashmir shawls to the Government of India.[134] The cost of these articles was paid by the Political Department. The State paid an annual subsidy to the Mehtar of Chitral.[135] Several *Khillats,* presents and *Nazranas* were paid by the Maharaja to several persons from the Department of *Toshakhana Jinsi.*[136] The *Vakils* of the feudatory states of Hunza Nagar and

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Poonch also received *Rukhsatana Khillats* before their departure and after the payment of annual tribute to the Maharaja. It shall not be out of place to mention here that the States of Hunza and Nagar paid an annual tribute of 11 *tolas* and 5 *mashas* of gold dust to the State,[137] while the Poonch Illaqa paid an annual tribute of Rs 233-3-8 to the State.[138]

Police

The Police Department consumed two to four percent of the total budget of the State during the period under study. It has been discussed in the following chapter how the State reorganized the Police Department after the establishment of the State Council and how expenditure on this department increased due to rise in salaries of Police force, and rise in cost of uniform, armaments, diet, construction and repairs of Police Stations.[139] The amount spent on this department during our period of study is given below.[140]

Year	Expenditure on Police
1885-86	F.N.A.
1890-91	1,54,137
1895-96	1,48,365
1900-01	1,97,376
1905-06	2,20,293
1910-11	2,37,085
1915-16	4,92,000
1915-17	6,75,592
1925-26	8,11,218

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The table shows that till the year 1915, there was a gradual rise in the expenditure on the Police Department, but the figures of the year 1915-16 show a sharp rise in the expenditure. It was mainly due to the fact that the Police Department was reorganized in 1915.[141] It has been discussed in the following chapter how the strength of the Police force remained almost same from 1885 to 1915.[142] But in. 1916, the strength of the force was increased by 30%. The pay scale was also revised. The figures of 1920-21 are comparably high, due to reorganization of Police Department after the Great War.[143] At the same time the administrative control of the Department was transferred to a new Member of Council, namely Finance and Police member who introduced several reforms, and spent sufficient amount on the force.[144]

Jails

The expenditure on Jails never exceeded one percent of the total budget of the State. It shall be discussed in the following chapter how the State Government introduced several reforms in the Jail administration and improved the condition of the prisoners.[145] The amount spent on jails during the period under study is given below.[146]

Year	Expenditure on Jails
1885-86	F.N.A.
1890-91	17,912
1895-96	31,997

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1900-01	47,215
1905-06	54,000
1910-11	63,202
1915-16	76,265
1920-21	1,38,300
1925-26	1,52,231

Pensions and Gratuity

The State pensioners drew almost two percent of the state budget throughout the period under study. The larger portion under the head was taken by the State Civil servants who got retired from service. After the establishment of the Council's rule, almost all the State departments were re-organized and a large number of old aged persons were retired on pension.

Pensions were of two kinds, political and general.[147] The political pension was admissible to the frontier chiefs while the general Pension was granted to the State employees.[148] Majority of the Punjabi or British civil servants did not, however, come under this category, as they left the state after the expiry of their service or contract.

The following table [149] will exhibit the expenditure incurred on the department during our period of study.

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Year	Expenditure (in rupees)
	F.N.A.
1890-91	F.N.A.
1895-96	1,81,539
1900-01	1,34,302
1905-06	1,32,000
1910-11	1,96,446
1915-16	3,48,223
1920-21	2,71,648
1925-26	3,69,226

Post and Telegraph Department

The development of the means of communications occupied an important place in the imperial designs of the Government of India towards Kashmir. It played a significant role in the extension of British influence towards the remote corners of the state.

The post and Telegraph Department had made considerable progress under Ranbir Singh. The State Postal Service was maintained by Imperial Postal Service since 1867. The Telegraph communication had been established between Jammu and Srinagar in 1879, and it was also extended upto Gilgit.[150] By the end of Ranbir Singh's reign, there were 12 telegraph offices and 300 post offices working in the State.[151]

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TRENDS IN EXIPENDITURE

During Pratap Singh's reign, several improvements were made in the Department. A Head Post office was established in Srinagar in 1886 which remained open throughout the year. [152] The delivery of mail from Sialkot to Srinagar took only an average of 63 hours. During summer, a branch office was established in Gulmarg. A Sub-post office was opened at Leh. [153]

In 1891, some new reforms were introduced in the Post and Telegraph Department; eight new Post offices in Jammu and three in Kashmir were opened, Large number of post boxes were installed and money order system was extended to all post offices of the State. [154] The Srinagar and Jammu Telegraph offices worked in direct communication with Lahore, Murree and Rawalpindi while Srinagar worked direct with Gilgit, Skardu and Bunji. The total length of the Telegraph lines in the state covered 810 miles. [155]

The Gilgit - Srinagar Telegraph line was transferred under the supervision of Imperial Government in 1894; the State retaining under its own arrangement (I) the lines from Srinagar to Jammu via Banihal and (ii) from Srinagar to Skardu. [156]

The telegraph facilities were soon extended to Ladakh. The construction of Kargil-Leh line was completed in 1898 and telegraph office was opened at Leh. [157]

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The post and Telegraph Department was reorganized on the recommendation of M.L. Pasricha, Superintendent, Government Telegraphs. [158] His services were obtained by the State Government and he proposed reorganization of the State Telegraph Department on the model of the Imperial Telegraph office.[159] The process of extension of postal arrangements and telegraphic communication continued till 1925.

The total expenditure incurred by this Department during our period of study is given below.[160]

Year	Expenditure
1885-86	F.N.A.
1890-91	16,823
1895-96	12,869
1900-01	24,665
1905-06	30,000
1910-11	51,266
1915-16	56,572
1920-21	55.565
1925-26	99,412

Stables, Boats and Bugghikhana

The State maintained several stables and the Department of Stables was under the Foreign Member of the State Council. There were several Royal Stables in Jammu, Srinagar and other main towns. [161] The state never remained short of suitable horses and

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a good amount was spent on the purchase of good horses from several parts of India. A large number of chosen horses was kept for the personal use of the Maharaja and the royal Princes. [162]

Each stable had a superintendent, under him were accountants and Registrar who kept the accounts and acted as registrar of the rolls of the horses and other documents. A large number of horses were given away as presents and sold to nobles or troopers. The supply was kept up by importing horses on a good scale from various places.

With the development of communications, Bugghis [163] were introduced in Kashmir. Therefore the Maharaja, members of royal family and even common passengers began to use Bugghis for travel from Rawalpindi to Srinagar, Srinagar to Gilgit or in Jammu Province. Bugghikhana Department was established under General Department of Foreign Member. It looked after royal coaches, ceremonial coaches, horses, uniforms and expenditure on coachmen or other members of the department.[164] Every year new coaches were purchased from Sialkot, Calcutta and other places. These coaches were of English designs which were in extensive use in British India. When the horses or carriages were declared old or unserviceable or considered as superfluous, they were sold by public auction.

Elephants were not used by the Kashmir army. However, the State Stables at Jammu had a few

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elephants, and they were used only for ceremonial processions. [165] There were also a good number of camels in the Royal Stables at Jammu. Besides royal processions, they were also used for transportation. [166] There were also a few mules, ponies and oxen in the stables.

The State also maintained a Boat Service Department which maintained a large numbers of boats in several rivers and lakhs in the State. [167]

The following table [168] shows the expenditure under this head during our period of study.

Year	Expenditure
1885-86	F.N.A
1890-91	1.03,424
1895-96	1,01,101 (excluding Bughikhana)
1900-01	1,53,627
1905-06	1,02,793
1910-11	2,05,594
1915-16	1,70,946 (excluding Bughikhana)
1920-21	2,55,430
1925-26	3,06,790

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Medical Department

Colonel Ploweden reported in 1887 that out of total medical grant of R_s 19,364 for the Kashmir province, R_s 13,274 was spent on a single Hospital viz. Chief Hospital at Srinagar [169]. Out of that total budget of R_s 13,274, R_s 10,944 or almost eighty per cent of the amount was spent on medical supervision and establishment, leaving only Rs 2,350 or twenty per cent of the total for medical and diet of patients[170]. Thus, till 1889 only a little portion of the fund for medical services was spent for the welfare of the patients.

After the establishment of the state Council, some attention began to be paid towards the reorganization of the Department[171]. A few dispensaries were opened[172] while the old were repaired[173]. Medical officers were appointed in both provinces of Jammu and Kashmir [174]. Some grants were given for stipends to Medical students at Lahore[175].

In spite of all these reforms, the annual budget of the Medical Department, during 1890-1900, hardly exceeded one per cent of the total expenditure of the state. It is important to note that during this period several floods, famines and epidemics occurred in the state which took a huge toll of human lives[176]. Thousands of people lost their lives in the absence of any medical facility[177].

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With the beginning of twentieth century, the expenditure on medical services, however, increased, Measures were taken to prevent the recurrence of epidemics by sanitating Srinagar [178] and making available to the citizen's clean and wholesome pipe water. Vaccination against small-box was introduced. A *Zanana_* hospital was opened in Srinagar and another in Jammu[179]. A hospital at Drugjan, Srinagar was also constructed by the State[180]. Several new dispensaries were opened in rural areas. A Lepar asylum was opened at Jammu[181]. A good amount of allotted budget was also spent on the sanitation of the hospital, dispensaries, operations, expansion of medical institutions, hospital equipment including tools, bedding, diet and medicines for indoor and outdoor patients[182].

The table[183] given below will show the expenditure incurred on Medical Department during our period of study.

Year	Expenditure on Medical Department (in Rupees)
1885-86	F.N.A.
1890-91	35,081
1895-96	44,121
1900-01	1,38,999
1905-06	1,49,185
1910-11	1,76,919

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1915-16	2,13,447
1920-21	3,71,633
1925-26	5,44,549

Education

Generous expenditure on the army and royal family contrasted sharply with the niggardly grants of education. The main cause for the negligence of education in the later years of the nineteenth century seems to be that nobody, in power, cared for the development of education in the state[184]. Colonel Plowden, the Kashmir Resident, though always critical of the Dgora administration, expressed his satisfaction over the little amount spent on education in 1887-88. He writes, "the total grant of Rs 4,912 per annum is very moderate and is all spent on one school at Srinagar "[185]. In the year 1889-90 when the Council began for function, the expenditure on education in the state did not exceed one per cent of the total budget on army[186].

The number of educational institutions and the average member of Students attending these institutions more than doubled during 1890-1900. The expenditure on education also doubled.[187] But the fact remains that the expenditure on education accounted for less than one percent of the total annual expenditure of the State throughout the decade. The census of 1901 shows that only two percent of the population could read and write.[188]

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With the dawn of the twentieth century, the education Department began to show some progress. In the first decade, the number of educational institutions doubled and the average number of students attending these institutions increased more than six times. Besides general education, education was given in professional fields also.[189] From 1911 to the end of Pratap Singh's period, the number of institutions as well as the average number of students attending these institutions doubled, while expenditure on education increased nearly four times. During this period, the education accounted for three to five percent of the total expenditure of state. The expenditure incurred on this department, along with number of institutions and the students is given in the following table.[190]

Year	Number of institutions	Enrolment	Cost of Education (in rupees)
1890-91	36	2508	22,151
1895-96	71	4962	38,693
1900-01	80	6095	48,031
1905-06	337	13706	1,44,236
1910-11	385	23746	2,79,984
1915-16	676	34766	6,85,327
1920-21	563	31935	3,32,878
1925-26	847	50578	11,72,453

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TRENDS IN EXPENDITURE

The educational policy of the State benefited a few sections of population. The worse sufferers were Muslims of the State who had more or less been neglected.[191] The Dogra bureaucracy believed that the increasing education among the Kashmiri Muslims would gradually make them conscious of their political rights. This is why the state administration always remained apathetic towards this basic social requirements of the Muslims.[192]

In the valley, the Pandits were the chief beneficiaries of the State's educational policy. They always remained loyal to the Dogra rulers. Besides, being in minority, they always feared the domination of Muslims[193] in case the Dogra rulè came to an end. The Education Department was dominated by the Kashmiri Pandits while overwhelming majority among the teaching staff in schools and Colleges were those of Pandits. Naturally, they encouraged their kinsmen to take to education while Muslim students were discouraged by them.[194] The statistics of 1925-26 clearly show that while 520 Kashmiri Brahmans (male) per thousand were educated, the rate of literacy of Kashmiri Muslims was as low as 15 persons per thousand.[195]

The Jammu and Kashmir State had been generally considered as a progressive state in the British India. But the fact remains that as compared to various other Indian princely states, the educational expenses per head in the State were comparably

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low.[196] For example, the State of Jammu and Kashmir spent only 5 annas per head on education in 1925-26, while the Baroda State spent Rs 1-9-0, Mysore Rs 1-4-0, Bhavanagar Re. 1/-, Travancore Re. 1/- and Indore 6 annas.[197]

It would appear from above that the members of the royal family who had enormous income from several resources were not taxed. The Maharaja, his brothers and other relatives possessed huge properties in the state and never paid any tax. They were also exempted from the payment of the customs duty,[198] octroi duty,[199] and grazing fee.[200]

The nobility and land-owing class which was the most propertied class in the State, only next to the royal family, paid nominal taxes. The highly paid top civil servants in the State were never taxed.

The main burden of the taxation fell upon the poor. The working class paid the land tax, grazing fees, octroi, excise duty, most of the salt duty and other numerous taxes. Thus almost nine-tenth of the taxation was paid by the poor while the rich and trading classes were bearing a small share of burden.

The State of Jammu and Kashmir, though comparably very less populated, lacked far behind the British India in average annual income per capita. The average annual income per capita in British India during the late 19th century seemed far better than the

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Kashmir state. Dadabhai Naoroji says that it was Rs 12/-[201] while H.M. Hyndman remarks that it exceeded Rs. 20.[202] In 1891-92, the total income of the State was 53.52 Lakhs, that is to say, the average annual income per head in the state was Rs 2.1.2. Although this method of calculation is not sophisticated, we, nevertheless, get a clear picture of the extreme poverty of the Kashmir State during the period under review. True, the average income per head increased to Rs 2.10.2 in 1901, Rs 2.11.0 in 1911 and Rs 6 in 1921, but the fact remains that in the changed circumstances, members of the ruling family, nobility, land-owning class and top civil servants continued to remain chief beneficiaries of the taxation policy of the Dogra Government. Although Kashmiri Muslims, who formed an overwhelming majority i.e. more than 75 percent in the State and were the main tax payers, had no say in the administration of the State finances. Throughout this period no definite plan for representing Muslim opinion was put forward. The administration of the State was virtually run by a few members of the royal family and a few British and Indian officials. No need was ever felt to know the public opinion. As modern education began to spread among the Muslims, they gradually became alive to different items of expenditure. Towards the end of Maharaja Pratap Singh's reign, the people of the State had ceased to be an ignorant unreasoning mass, implicity confiding in the wisdom of their rulers. No surprisingly, the taxation policy of Maharaja Pratap Singh was severely criticised by the emerging

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champions of the Muslim sentiment when they submitted a Memorial to Lord Reading in 1924. The volcano erupted later in 1931 under the leadership of Shaikh Mohammed Abdullah.

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REFERENCE:

1. Morrison, M.C., "*A Lonely Summer in Kashmir*", p. 257.
2. Pt. Anand Kaul, *Geography of Jammu and Kashmir State*, p. 27.
3. *Adm. Report,* 1904-05, p. 453.
4. Dr. Wajih-ud-Din, *Travel and Tourism in Kashmir Between 1831 to 1944,* p. 55.
5. *Adm. Report* 1923-24, p. 52.
6. *Adm. Report* 1892-93, p. 90; *Adm. Report* 1893-94, p. 61.
7. *Ibid.*
8. *Census of India,* 1911, p. 9.
9. *Tri. Adm. Reports* 1898-1901, p. 422; *Adm. Report P.W.D.* 1898-99, p. 11.
10. *Adm. Report* 1897-98, p. 102.
11. *Adm. Report* 1904-05, pp. 88-89.
12. *Adm. Report* 1890-91, p. 117.
13. *Adm. Report, P.W.D.* 1898-99, p. 11.
14. *Statistical Atlas of Jammu and Kashmir State,* 1926, p. 22c.
15. *Adm. Report* 1892-93, p. 85.
16. For instance in 1924-25, an amount of 29. 91 lakhs of rupees was spent on roads and buildings of the State. out of the total, 6.80 lakhs of rupees (@ 13% of the total) were spent on the construction of roads and bridges (mainly used for military purpose); 2.84 lakhs of rupees (@ 10%) on military; 1 ½ lakhs of rupees (5%) on construction of palaces; Rs 9401 on Residency and so on. Only Rs 37. 50

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thousand (@ 1%) was spent on medical buildings; Rs 43.7 thousands (@ ½ %) of the total) on educational buildings; Rs 1035 on supply and transport; Rs 2744 on sanitary; Rs 935 on Jails Rs 1702 on judiciary and so on. *Adm. Report* 1924-25, Chapt. III.

17. The author has prepared this table after consulting the following reports: (I) *Adm. Reports* 1890-91 to 1905-06 & 1911-12 to 1925-26.

    ii) Report on the P.W. accounts of the J&K State for the years 1915-16 & 1920-21.

18. *The Valley of Kashmir*, p. 323.
19. Mohibbul Hasan, *Kashmir under the Sultans*, chap. XII.
20. During the Mughal period, over every main channel there was a *Mirab*-one of the villagers – whose duty was to see the repairs and call out labour. The system is said to have been introduced by Emperor Jahangir. He laid down the rule that the upper villages which had no local spring and lower villages which received no overflow water from the upper villages were entitled to share of irrigation from the main channel – *The Valley of Kashmir*, p. 324.
21. *Ibid.*
22. Lawrence records, "The Jehlum river......gives no irrigation at present and its waters run to waste." *Ibid.*
23. *Adm. Report* 1892-93, p. 47.

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24. Rivett's Report on Settlement in Kashmir, *Adm. Report* 182-93 p. 47.
25. Previously the Dal and Anchar lakes were open to the overflow of the Jehlum and formed a vast reservoir for the surplus flood. Later Channels to those lakes from the Jehlum were closed due to negligence of the state. Bourbel proposed that the whole volume of the river must find a passage down the main channel and down the subsidiary Kitkul Nullah which branched off at Shergarhi and joined again at Safa-Kadal. De Bourbel's Report, *Ibid.*, p. 102.
26. *Ibid.*
27. *Ibid.*
28. *Ibid.*
29. *Adm. Report* 1891-93, p. 40.
30. *Tri. Adm. Report* 1901-04, p. 186.
31. D.N. Nagarkatti, *op.cit.*, P. 18.
32. In the State Administration reports, the figures pertaining to expenditure on irrigation were not shown separately before 1911, except for the years 1903-04 and 1904-05. Table is based on the Adm. Report of the respective years.
33. *Tri. Adm. Report* 1920-23, p. 58.
34. *Ibid.*
35. *Ibid.*, pp. 58-59.

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36. *Adm. Report* 1923-24, p. 1. But just after one year this portfolio was abolished and the Department was again transferred to the Control of Revenue Member. *Adm. Report* 1924-25, p. 1.
37. *Adm. Report* 1889-90, p. 10.
38. Durand A., *The Making of a Frontier,* p. 122.
39. Ghose, D.K. *Kashmir in Transition,* p. 116.
40. Durand A., *op. Cit.,* p. 122.
41. The Kashmir Imperial Service Troops saw active service in the operations for the reduction of the Mountain principalities of Hunza and Nagar and "behaved with conspicuous gallantry......" Sir J. Strachay, *India, its Administration and Progress,* p., 451.
42. For instance, in 1890-91, Imperial Service corps constituted less than ¼ of the total army but it spent more than 40% of the total military budget viz. Rs 3.75 lakhs against Rs 5.41 lakhs of Regular Troops.... *Adm. Report* 1890-91, p. 15.
43. Hira Lal Singh, *Problems and Policies of the British in India* (1895-98), p. 199.
44. The Russian danger proved false, and Boraghil pass inaccessible. Moreover, the Great Britain, Russia and Afghanistan had reached to an understanding for demarcation of boundaries. The British succeeded in

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keeping a strip of land in pamirs under Afghan suzerainty as buffer between India and Russia.

45. Anon; *the Foreign Policy of Lord Rosebery*, pp. 59-60.

46. The total strength of Kashmir army, which was over 22, 000 men on 1 January 1889, had been reduced to 7, 500 in 1892. The State almost maintained the same strength and did not increase it in next 32 years. In 1912 it was 7, 380 men. In 1920, the strength was again 7, 500 and finally in 1925, it was less than 7,000 (i.e. 6, 913) men.

47. From 1897-98 to 1902-03, the military expenditure remained below Rupees 12 lakhs, except year 1899-1900, when it had risen to Rs 12. 67 lakhs. This rise of Rs 1.36 lakhs was largely due to Boer War, as the State Government presented the Government of India 50 horses with equipments for the South African War. *Adm. Report, 1900*- 01, p. 19.

48. J&K State Archives, Pol. Deptt. No. 213/E- 1 7 of 1917.

49. J&K State Archives, Pol. Deptt. No. 31/E- 1 00 of 191

50. *Palit, Jammu Kashmir Arms*, pp. 105-06.

51. In British India, the military expenditure had been largest single item in Budget since mutiny consuming one-third of budget.

52. The Imperial Government kept in India a large proportion of its army as a reserve force available for Imperial purposes at the cost of Indian Tax payer. British maintained

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70,000 British soldiers in India at Indian cost, in addition to a vast Indian army.

53. *Adm Report* (1918-19), p.51.

54. *Adm. Report (1919-20)*, Annex.X.

55. *Tri. Adm. Report (1 920-23)* Annex. XIII.

56. *Adm. Report* (1925-26), Annex. X.

57. J&K State Archives, Pol. Deptt. No. 194/55-Misc. of 1921.

58. The author has prepared the table after consulting Ann. *Adm. Report* of the respective years.

* The figures of the years 1906-07 to 1909-10 are not available as the Ann. Administration Reports of these years were not published.

59. Civil and Military Gazette, 4 April, 1917, p.9.

60. J&K State Archives, Gen Pol. Deptt. Non 1 94/55Mise. of 1921.

61. Civil and military Gazette, 4 April 1917, p.9.

62. NAI/Foreign, Intl. B.Progs., No.97-104 of June 1917.

63. J&K State Archives, Gen Pol. Deptt. No 194155-Misc. of 1921.

64. For details contribution see appendix, V.

65. Adm. Report *1916-17, p.4;* J&K State Archives, Pol. Deptt. No 31 /E- 1 00 of 1915.

66. J&K State Archives, Mil. Deptt. No. 5 1 -M/76 of 1919.

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67. The State also provided to British 40 tents worth 40,000 rupees. A stand by electric generator plant for the Jammu city lighting Scheme was also placed at the disposal of the Government of India. This was required for Basra Stream generating Station to supply fans and lights to hospital. J&K state Archives, Mill. Deptt No. 5 1-M/77 of 1920.

68. J&K State Archives, Gen. Pol. Deptt. No. 210-E-34 of 1917..

69. S.P. Sharma, *Dogra Army Won Laurals on Battle Fronts*, p.38.

70. *Civil and Military Gazelle*, 2O Feb. 1918, p.9.

71. *Ibid.*

72. Civil and Military Gazette, 23 June 1916, p.7.

73. Dossabhai Shah, *The Prince of Wales, and the Princes of India*, Vol. 11, pp.408-09.

74. India Office to Foreign Office, 27 Feb. 1896, cited H.L. Singh *op.cit.*, pp. 193-94

75. J&K State Archives,, Mil. Deptt. No. 39-NV75 of 1918; J&K State Archives,, Gen. Pol. No. 210/E-34 of 1917. It should he noted that the population of only Hyderabad State was 124 Lakes as compared to Kashmir State's population of 33 Lakhs. For details see P.L. Chudger, *Indian Princes Under British Protection*, p. 1 67.

76. *M. Census of India, 192* 1; Vol. XIII, Part 1, p. 16.

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77. The Annual income of Mysore, Baroda and Hyderabad State. in 1926, was 346 Lakhs, 237 Lakhs and 653 lakhs of rupees (in round figure) respectively as compared to 227 Lakhs of rupees of Kashmir State, P.L. Chudgar, *op. cit.*, p. 167.
78. *Modikhana* was a department which used to supply the commodities to he used in kitchen of the Maharaja.
79. All the supplies were furnished to *Modikhana* by the contractors on indent with regard to the contract rates. The payments of the bills of the contractors were made immediately on their presentation at the Saddar Treasury. R. Logan. *op.cit.., p.35.*
80. J&K State Archives,, Gen Deptt. No. 82 of 1896.
81. The author has prepared the table after consulting Ann. *Adm. Reports* of the respective years.

    The Figures of the years 1906-07 to 1909-10 are not available as the Ann. Administration Reports were not published during these years.
82. See Supra Chapter 1.
83. R. Logan. *op.cit., p.35.*
84. The expenditure on *Modikhana* Deptt.. was 4.16 Lakhs of rupees in the year 1886-87. The total expenditure on Public works in Jammu Province during the same year was less than one-third of the expenditure on *Modikhana.* J&K State Archives,, Pol.Deptt. .31 of 1887.
85. J&K State Archives,, Gen. Pol Deptt. No.. 22 of 1891.

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86. *Logan, op.cit., p.35.*
87. J&K State Archives,, Gen. Pol. Deptt. No. 38 of 1891.
88. *Adm. Report* 1890-91. P.43.
89. Amount is given in round figures.
90. *Adm. Report* 1890-91, p.43.
91. R. Logan, *op.cit., p.35.*
92. *Ibid.*, p.36.
93. *Adm. Report* 1894-95, p. 1 1 5.
94. The amount is given in round figures.
95. *Ibid.*
96. *Tri. Adm. Report 1898-190* 1. P. 1 1 5.
97. *Adm. Report,* 1912-13, p.66..
98. *Ibid.*
99. *Adm. Report* 1915-16, p.67.
100. *Ibid.*
101. *Adm. Report* 1918-19. p.5 1.
102. *Ibid.*
103. J&K State Archives,, Pol. Deptt. No. 108/E-7 of 1914.
104. J&K State Archives,, Pol.Deptt..No..9 of 1912.
105. *Adm. Report* 1919-20, p.53.
106. *Tri. Adm.. Reports* 1920-23, p.76.
107. *Ibid.*
108. *Ibid. Report* 1925-26, p.72.
109. *Ibid., pp.* 1 and 72.

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110. *The valley of Kashmir* p, 4 5 2.
111. *Adm.. Report* 1893-94, p.50.
112. *Imperial Gazetteer of India,* p. 13 9.
113. *Adm. Report* 1895-96, pp. 1 16-17.
114. *Adm. Report* 1905-06. P.2.
115. Table is based on: (I) *Adm. Reports* of the years 1895-96 and years 1905-06, 1910-11 and 1920-21; (iii) *Adm. Reports* of the years 1915-16 and 1925-26.
116. *Toshakhana Jinsi* was a department of the State where precious stones; Jewellery etc. were kept.
117. The State maintained its representatives *(Vakils) at* Lahore , Jehlum, Gujrat, Rawalpindi, Gurdaspur, Abbotabad and Poonch. Their duty was to look after the State's property in these places. There was also a State's *Vakil* at the Residency in Srinagar. *Adm. Report* 1889-90, p.3 1.
118. *Khillat* was a kind of award given by the Maharaja.
119. The figures of earlier years are not available.
120. Table is based on the *Ann. Adm. Reports* of the respective years.
121. N.D. Nargis, *op.cit., p.700.*
122. *Ibid.*
123. *Adm. Report* 1891-92, p. 1.

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124. Abdu'lHamid Munshi records in his **Waqiat-i-Kashmir,** In 1904, when Lord Ampthill visited Srinagar as acting Viceroy, about ten thousand poor Muslim *Zamindars* were made to stand on the Takht-i-Sulaiman with lights in their hands and were paid only 2 to 3 annas per head. Part 18, p. 16, cited in G.M.D. Sufi, *op.cit*, p.818.

125. N.D. Nargis, *op. cit., lp. 720.*

126. *Adm. Reports* 1912-13. P.66.

127. *Adm. Report 1915-16. P.67.*

128. *Adm.Report 1918-19, p.51.*

129. N.D. Nargis, *opcit.*, p.702.

130. *Tri. Adm. Reports* 1920-23, pp.3 and 76.

131. *Adm. Report* 1924-25, p.3. See Also Gh. Hassan Khan, op.cit., Yusuf Saraf, **Kashmiris fight for Freedom**, *VoL I, p. 336.*

132. *Adm. Report* 1912-13, p. 1; *Adm. Report* 1915-16, p.4;

133. *Adm. Report p.3 Adm. Report* 1924-25, p.3.

134. NAI/Foreign, Sec. E, 26 Dec. 1846, Nos. 442-43.

135. *Adm.Report 1894-95,p.115.*

136. *Adm. Report* 1919-20, p. 72;

137. *Tri. Adm. Report* 1898-1901, pp.218-19.

138. *Ibid.*

139. For details, see Chapter IX.

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140. The author has prepared the table after consulting Administration Reports of the respective years,

141. Adm. Report 1914-1 5, p. 5.

142. Report Majmovi, 1882-83, p. 1 14; Adm. Report i1915-16, p. 22.

143. J&K State Archives, Pol. Deptt. No. 194/JS-Misc of 1921.

144. J&K State Archives, Pol. Deptt. No. 19/E-67 of 1924.

145. For details see infra Chapter IX.

146. The author has prepared the table after consulting *Adm. Reports* of the respective years.

147. *Adm. Report* 1897-98. P. 275.

148. J&K State Archives, Pol.Deptt.No. 14/R-25 of 1906.

149. The table is based on the following pension Rules of the J&K State, 1906 (iii) *Adm. Reports* 1911-12 to 1925-26.

150. N.D. Nargis, *Tarikh-i-Dogra Des*. Pp.687-688.

151. *Report Majmovi*, 1882-83, p. 176.

152. J&K State Archives, Pol. Deptt. No. 31 of 1887.

153. Gazetteer of Kashmir and Ladakh, pp. 1 7-1 8.

154. Adm. Report 1891-92, p. 121.

155. Ibid.

156. Adm. Report 1894-95, p. 19.

157. *Tri. Adm. Reports* 1398-1901, p.80.

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REFERENCE

158. *Adm. Report* 1912-13, p. 13.

159. *Ibid.*, pp. 13-14. See also *Adm. Report 1913-14*, p.15.

160. Table has prepared by author after consulting *Adm. Report* of the years mentioned in the table.

161. *Adm. Report* 1895-96, pp.34-36.

162. When ever British Officials came to Kashmir for hunting, shooting, hiking or other adventure-cum-pleasure trip. the horses were provided to them from royal stables.

163. A Four wheeled carriage drawn by horses.

164. *Tri. Adm. Reports* 1901-04, p.96.

165. On festivals and royal processions, elephants were exhibited to the people.

166. There were 74 camels in Jammu Royal Stables in 1914 *Adm. Report* 1913-14, p.106.

167. *Tri. Adm. Reports* 1898- 190 1, p. 102.

168. Table is based on the *Ann. Administration Reports of* the respective years.

169. Plowden's Report on Budget of Kashmir, 1887-88. J&K Archives, Pol. Deptt. No.31 of 1887.

170. *Ibid.*

171. *Adm. Report* 1889-90, 0.109.

172. *Adm. Report* 1891-92, p.86.

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173. Adm. Report i1893-94, p.36.,
174. *Adm. Report I* 18 89-90, p. 1 09.
175. *Adm. Report 1890-9* 1. Pp. 100- 1 02.
176 Arthur Neve, *Beyond the Pir Panjal*, p. 266; Tyndale *Biscoe, Kashmir in Sunlight and shade*, p.3 06; Arthur Neve, *thirty Years in Kashmir*, pp. 29-3 1.
177. *Beyond the Pir Panjal*, pp.272-73. However the Christian missionary doctors rendered remarkable services to suffering humanity in Kashmir during the famines. Most important among them were Dr. Elmslie, Dr. Theodore Maxwell, Miss Butler, Miss Irene Petrie, Dr. Arthur Neve and Dr. Ernest Neve. Fanshaw records, 'The only bright spot in the dreary history of the Kashmir famines was the devoted and unselfish conduct of the missionaries, "NAI/Foreign, Sec. E, March 1883. Nos. 81-82, Credit goes to the missionaries for saving thousands of people who would have otherwise died. *Beyond the Pir Panjal* pp.242-43. For details see M. Ishaq Khan, *History of Srinagar, pp.* 128-132.
178. *History of Srinagar, p..24-34.*
179. *Beyond the Pir Panjal*, p..242-43.
180. *Kashmir in Sunlight and Shade, pp.240,242.*
181. *Adm. Report* 1912-13, p. 16.

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REFERENCE

182. *Adm. Report* 1893-94, p.36; *Adm. Report 1912-13*, p.68.

183. The author has prepared the table after consulting Adm. *Reports* of the years mentioned in the table.

184. Pratap Singh neglected education in the State, but donated liberal grants to educational institutions in British India. Immediately after his succession to the throne, he gave a donation of 50,000 rupees to Lady Dufferin's fund and 25,000 rupees for the Aitchison College at Lahore.. J.C. Bose, *Cashmere and its Prince*, pp. 13-20. Arthur Brinckman says about Gulab Singh. "The Raja will not allow education there but to blind us (The British), sends us a few thousands rupees occasionally to our Punjab Schools. "*The Wrongs of Kashmir (Kashmir Papers, p.13).*

185. Plowden's note on the Budget of Kashmir (1 887-88), J&K State Archives, Pol. Deptt. No. 31, of 1887.

186. *Adm. Report* 1889-90. Pp. 5-6.

187. *Ibid;* 1890-91 and 1900-01.

188. *Imperial Gazetteer of India, p.75.*

189. M. Hashmat Ullah Khan. *Tarikh-i-Jammu etc.*, p.79.

190. Table is based on the following sources:(i) Adm. *Reports* 1890-91 to 1905-06 (ii) *Ann, Adm. Reports of*

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Education Deptt.. For the years 1910-11 and 1920-21

(iii) *Adm. Reports* 1915-16 to 1925-26.

191. *E. Neve, Beyond the Pir Panjal*, p.256.

192. For details see M. Ishaq Khan, *Perspectives on Kashmir*; See also *History of Srinagar, p.* 156.

193. The Muslims formed the over wheiming majority in the Jammu and Kashmir State. They constituted almost 60 percent of total population in Jammu Province, 85.7 per cent in Frontier Districts and 94 per cent in the Kashmir Province *Statistical Atlas of the Jammu and Kashmir State, p.* 11- 14.

194. *History of Srinagar, p.* 157.

195. *Ibid.*, p. 14a.

196. R.L Handa, *History Struggle in Princely States*, p. 173.

197. *Ibid.*

198. J&K State Archives, Gen. Pol. Deptt. No.24 of 1897.

199. J&K State Archives, Pol.Deptt. No. 132 of 1905.

200. Ass. Report of Kahacharai Fee- 1927. P.24.

201. *The Poverty of India*, pp.97-99.

202. *Bankruptcy of India, p.157.*

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Chapter VIII

THE JUDICIAL SYSTEM

An efficient and independent judiciary occupies an important place in the administrative set up of a province or a State. It is one of the most important agency for maintaining law and order, without which no administration can run successfully.[1]

The State of Jammu and Kashmir, till 1889, was an absolute monarchy,[2] and the Maharaja was the supreme authority in the State. The Dogra rulers believed in the 'divine right theory' of kingship and always desired to concentrate all the judicial powers in their hands. The Maharaja himself constituted the law-making agency, the chief executive and the highest tribunal of justice.[3] The Dogra rulers loved to pose as the fountain of justice and followed the immemorial Eastern tradition that the king should decide cases himself in an open court. Gulab Singh[5] and Ranbir Singh are said to have held their *Durbars* daily.[6] It was their custom to sit in public *Durbar* and hold open court for hearing petitioins.[7] This system of providing justice was both crude and primitive.

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It is pertinent to note that before 1890, the administration of Jammu and Kashmir State itself was based on injustice. The sale of Kashmir to Gulab Singh was in no way justified and it was the root cause of all the evils. Gulab Singh had purchased Kashmir for seventy five lakh of rupees, [8] so he had to amass this capital as well as its profit in as short time as possible. This fact was evident in the judicial system as well. Every petitioner who wanted to submit an appeal to the Maharaja was required to pay the customary offering of a rupec.[9] Fredrick Drew writes about Gulab Singh's greed for money: "he would pounce like a hawk on the money, and having appropriated it would patiently hear out the petitioner."[10]

The rural economy of the State was based on an exploitative system which rendered unspeakable sufferings upon the poor masses. We have discussed in the previous chapters how the ruling class and the state officials robbed the peasantry of their produce,[11] how the people were crushed under the burden of heavy taxation; and that the collection of land revenue was not based on humane principles of justice. If we carefully study the system of land revenue and taxation in the state during the 19th century, we shall certainly find that the Dogra administration was based on injustice. Thousands of Kashmiri villagers were forced to work as *Begar* labourers by the state authorities.[12] They were severely punished if they refused to go to Gilgit. [13] *Nizamat Palton* was

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constituted entirely to recover the land revenue, often forcibly, from the peasantry.[14] Defaulters of the state revenue were considered criminals and were kept behind the bars on reduced diet or were deported to the places where climate was detrimental to their health.[15] Thus, when the majority of the people of the State, particularly in the valley, were victims of such tyranny, injustice and suppression, it little matters how a section of people in the towns went to the courts with the complaints and how many of them were provided with the true justice.

Jagirdars were virtually the owners of the land and the peasantry, as discussed in previous chapters, was again at their mercy.[16] The *jagirdars* exercised vast civil and criminal powers without maintaining regular offices and often defied the police and the state authorities.[17] Similarly other land-owners like *Chakdars, Muafidars*, etc. were virtually masters of their jurisdictions. The revenue officials also often misused their powers to exploit the people. In several cases the *Tehsildars* and other revenue officials, who were not invested with criminal jurisdiction, fined people without recording the proceedings and appropriated to themselves the amount recovered from them.[18] These fines were the source of private enrichment.[19] The *Tehsildars were* mostly illiterate and they often entrusted the judicial work to irresponsible clerks who, taking advantage of the inefficiency of their superiors, made mockery of justice.[20] In fact every officer of the State considered

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himself privileged to use force and violence, inflict and recover fines, keep persons in confinement, and to do all other acts which appropriately and legitimately fell within the exclusive jurisdiction of tribunals invested with the power to try criminal offences.[21]

Law was applied to only a certain section of people, and others were exempted from it. The Maharaja being the highest tribunal of justice, could do anything with 'The grace of Almighty' and was, therefore, above the law. The members of the royal family and the courtiers enjoyed enormous influence over the judges, and the courts were always at their mercy.[22] The punishments were very serious, mostly for the poor, and whipping was awarded in several cases. But for influential persons, sentences of imprisonment were frequently commuted to fines.[23] The State officials, guilty of bribery and extortion, were let off with small fines, which too were often left unrealized.[24] Besides, the members of the royal family, many influential people including the State officials, exercised tremendous influence over the court.[25] Brahmans were practically exempted from punishment and they naturally used this to their own advantage.[26] However, a Muslim, accused of kine-killing was not spared and a severe punishment was given to him.[27]

It is claimed that the incidence of crimes was low during 1846-1890 when 'peace' and 'law and

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order' are said to have prevailed in the State.[28] The fundamental point is that this so-called 'peace' was established by the Dogra ruling class for their own interests. To carry out the policies of exploitation, peace was an essential pre-requisite. Thus the Dogra rulers committed many brutalities in the name of maintaining peace.[29] The merciless killing of shawl weavers in this connection is worthy of note. The maintenance of law and order is desirable only if it leads to the all round progress of a nation. But if it hinders progress or if force is used in the name of law so as to buttress the vested interests of a ruling class, then we might be forced to repeat the words of Jan Huizinga, an eminent Dutch historian, who remarks: "however indispensable to civilization peace and order may be, real civilization is not contained in them. They may even be danger to it, should they be promoted by equalizing and levelling."[30]

In order to establish peace, the Dogra rulers inflicted severe punishments upon the criminals or suspects.[31] H.L.P. Wyune, Special Officer-on-Duty in Kashmir records that the main cause for fewer crimes was the extreme severity of the punishment inflicted in the time of Gulab Singh.[32] For those guilty of murder the punishment was *azhab*, which meant amputation of limb before hanging one to death.[33] Under Ranbir Singh also the punishments were very severe. Whipping was awarded in several cases.[34]

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Since the beginning of Dogra rule, the state Police was dreaded by the bulk of population. Policemen were generally described as extortionists and torturers.[35] As late as the beginning of 20th century, the appearance of a 'red turban' in a village of Kashmir was the signal for poor to hide themselves in the fields and the jungles so as to save themselves against the high-handedness of the police.[36] Parry Nisbet described the State Police as "a wretched and useless body lacking intelligence and perseverance."[37] The *Thanadars*[38] and *kotwals*[39] whose duty was to maintain public peace and to detect and repress crime, served as the lowest court within their respective jurisdictions. It depended on sheer pleasure of the police officer whether he would make an enquiry or not of an offence reported. The organisation of the village as well as urban police was extremely unsatisfactory, the remuneration of village watchman was neither fixed nor controlled. Village menials of the lowest caste were engaged without a pay for escorting prisoners and transmitting official records, and, in consequence, the prisoners often escaped and the records were lost.[40]

The condition of prisoners was even much worse. Major J. Bacher once reported that "there is a jail (in Kashmir) where criminals are hard-worked, pounding half-decayed rice in unhealthy position on the lake, where the mortality must be great. They are also banished to distant parts of Leh and Iskerdo."[41] The condition of jails was very bad where the prisoners were expected to get food from their homes.[42]

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It is true that some improvement was made in the judicial system of the state during the later part of Ranbir Singh's period. The regular courts were established with defined powers, and certain laws were framed for these courts.[43] *Chakladars* were appointed at every Police Station to dispose of petty civil and criminal cases.[44] A penal code, known as 'Ranbir Penal Code' was introduced,[45] with one hundred sectioins.[46] A mixed court comprising a British Officer and a civil judge of the State was established in 1873 to decide civil suits between the Europeans and the subjects of Maharaja.[47] A High Court was established in 1877, as the highest court of appeal or revision, subject to the control and the judicial power exercised by the Maharaja.[48] Thus, at the beginning of Pratap Singh's reign, there were in all 25 courts of law, of which 14 were the *Wazarat* Courts and 3 Courts were situated at Ladakh, Gilgit and Skardu.[49] There were two High Courts at Jammu and Srinagar. Besides, there was a court in Srinagar called *Adalat Dag-i-Shawl,* and also a *Panchayat* court.[50] Some new court rooms, record offices[51] and prison houses had also been established by that time.[52] The judges used to receive their salaries from the State exchequer.[53]

In spite of all these reforms, the judicial system of the State remained far from satisfactory. It was largely due to the absence of trained personnel and the uniform laws and procedure.[54] The laws were inadequate; one hundred sections of criminal law and

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a simple code of civil laws were not sufficient to meet the requirements of the people. The number of courts were too few to meet the needs of the people, and their jurisdiction was ill-defined. The courts were situated at considerable distances from one another. There was no criminal procedure code.[55] The punishment of crime was determined by the penal code which left open to the judges a wide field of discretion.[56] Corruption was rampant causing a lot of trouble to the people seeking justice.[57] People also suffered a lot due to the delay in the dispensation of justice. A petty case often took four or five year to be finally disposed of.[58] Evidence was not properly recorded[59] and there was no substantive law for registration.[60] Besides, some leaders of the caste groups, like the *Kahars,* had purchased the exclusive right of trying all cases among their members paying a certain amount of money to the State for rendering judicial services.[61] Thus the jurisdiction of courts was often restricted.

Pratap Singh, like his predecessors, it seems, believed in the 'divine right theory' of kingship and desired to concentrate the judicial powers in his own hands. At the time of his accession to the throne, Pratap Singh had made big promises[62] and had issued strict orders to prevent the high officials and influential men from influencing the decisions of courts of justice.[63] But unfortunately this promise proved to be false when he himself encouraged his private servants and members of ruling family to defy

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the orders of judicial officers. They often harassed the judicial officers without any scruple, and thus the courts were always at the mercy of the Maharaja, his kith and kins and a large body of the State Officials.[64] The Maharaja also tried to justify the misdeeds of his personal servants. Thus, for example, Maharaja left no stone unturned in defending a highly corrupt official like Gobind Sahai who had embezzled an amount of 65,000 rupees out of the State treasury.[65] In another case, Miran Baksh, a private servant of the Maharaja, was found guilty of having removed *pushmina* (wool) to the value of 84,000 rupees from the State store. The Maharaja did not pay any heed to the State Council when it demanded the arrest of Miran Baksh. Thus instead of serving the cause of independence of judiciary, Pratap Singh proved himself to be "an unjust ruler" who "made a mockery of justice."[66] It was due to these abuses in the judicial system that Col. Nisbet, the British Resident in Kashmir, was very critical of the judicial policy of Pratap Singh. According to him, the Maharaja decided all cases "at the sacrifice of conscience and fairplay."[67] The British intervention in Kashmir was also advocated by Nisbet on the basis of the evils prevailing in the judiciary under Pratap Singh.

Just at the time of Pratap Singh's accession to the throne, the Government of India had impressed upon him the necessity of introducing certain specific reforms in his administration; one of most important among them being the improvement of judicial

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administration.[68] Maharaja Pratap Singh was not, however, successful in reforming the judicial system of the State. Therefore, when the Government of India established the rule of Council in the State in 1889, it paid special attention towards the judicial system and introduced several reforms in it. Gradually the administrative structure of the State judiciary was changed and was established on the new pattern.[69]

The Court of the Maharaja:

Maharaja Pratap Singh, being the Head of the State, played an important role in the administration of justice. Though he enjoyed powers as the highest tribunal of justice,[70] several attempts were made by the Council and the Resident, from time to time, to restrict his judicial powers.[71] In fact the council had been established mainly to check the powers of the Maharaja and his private servants,[72] which previously enjoyed unlimited powers.[73] But the Maharaja soon regained most of his lost powers in 1891 when he was appointed President of the newly constituted council.

Pratap Singh as the President of the Council (Maharaja-in-Council) enjoyed several prerogatives, enumerated in sections 401 and 402 of criminal procedure code.[74] Sentences of death or life imprisonment passed by the Chief Judges or the High Court were subject to confirmation by the Maharaja.[75] There were no courts competent enough to try him for

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any offences. The Maharaja had every right to transfer cases from one court to another and to send for files.[76] The Maharaja used to hold discussions with the Judicial Member of the Council about judicial matters of the State,[77] and the judicial member was required to inform the Maharaja about the necessity of new laws to meet the needs of the people. Proposals for the reforms in the shape of memoranda were submitted to the Maharaja by the judicial Member through the Council and the Maharaja used to give final orders, sometimes with certain modifications.[78] The Maharaja was very careful in exercising his prerogatives and set aside the orders of the Resident and the decisions taken by the Council,[79] when he felt that his prerogative had been encroached upon.

In 1899, the Government of India decided to check the powers of Maharaja's private servants who had so far enjoyed much liberty in the judicial matters. Prior to 1899, all cases involving the servants of the Maharaja's private department were dealt by the Maharaja himself. But in 1899, strict orders were issued by the Government of India that whenever anyone of them was accused under the criminal procedure code, the case was to be tried in regular courts and not by the Maharaja.[80] In 1900, it was suggested by the High Court Judge that the Maharaja had no power to hear an appeal against the order of acquittal passed by the High Court. The suggestion was referred to the Government of India for decision, which intimated that the rule was to be followed only

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in important cases, like that of murder, where glaring injustice had been done. Thus the right of appeal to the Maharaja against the order of the acquittal passed by the High Court was conceded by the Government of India through the Residency. It was held that the highest court in the State was that of the Maharaja and not the so-called High Court.[81]

The Maharaja heard appeals in cases relating to landed property only when the value of the subject was above Rs 500. In all land suits, exceeding Rs 500 and non-land suits, exceeding Rs 1,000 in value, the first appeal was heard by the. High Court and the Second by the Maharaja himself.[82] In non-land cases, the Maharaja could dispose of appeals against any judgement of lower courts and had powers to veto any of their judgements.[83] The High Court Regulation of 1921 gave the people the right to appeal direct to the Maharaja against any judgement made by the judges of High Courts or by any other Division bench.[84]

State Council:

After 1889, the State Council combined in itself the functions of the highest legislature and the judiciary of the state. The Department of law and justice was under the judicial member of the State Council.[85] Appeals in civil and criminal cases and applications for confirmation of sentences of death and life imprisonment were submitted to the Council by the Judicial Member and then through the

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secretary State Council, to the Maharaja for his orders.[86] In revenue appeals the unanimous decision of the judicial Member and Revenue member was treated as the decision of the State Council.[87]

The Government had full powers of life and death sentences over its subjects. Sentences of death passed by the State Courts were not subject to the approval of the Resident. In fact the State Council was not considered subordinate to the Resident and sentences passed by it did not require confirmation by him.[88] Nor did appeals from the judgement of State Courts rest with the Government of India.[89] The State Council framed the laws for the Jammu and Kashmir State.[90]

In the Judicial Department, the functions of the High Court and of the court of revision-and – reference were performed by the Judicial Member[91]. He heard appeals against the orders of the Chief Judges and pointed out their defects[92]. He would send for the files of cases to acquaint himself with the working of the court. The system was calculated to afford good legal training to subordinate magistrates[93]. Considering his multifarious duties, it was felt that the work was too much for any individual. So, in 1905, the Maharaja proposed the creation of a separate post of the Judge of the High Court, who was to decide all judicial cases previously dealt with by the Judicial Member himself[94]. But this proposal was not implemented. However, his efforts

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in raising the number of High Court Judges bore fruit in 1921, when the High Court Regulation was passed[95].

The Law Department consisted of the following categories of officers:

(1) Judicial Secretary;
(2) Government Advocates;
(3) Public Prosecutors; and
(4) Other Law Officers.

The Judicial Secretary was the Chief Law Officer of the State, and exercised control over the entire business of the department. Subject to the orders of the Minister-in-charge, he was in overall charge of all the legal affairs of the Government and of legal proceedings affecting the Government .

The Government Advocate was the Chief Executive officer of the Law Department in the High Court and discharged his duties under the control of the Legislative Department. Without the special permission of the Minister-in-Charge, the Advocate General was not ordinarily employed to conduct any criminal business of the state in any court other than the High Court.

The Public Prosecutors conducted the prosecution in all original criminal trials in the court of sessions[96].

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District and Session Courts:

Under the Judicial Member were the District and Session Courts, also called *Sadar* courts or Chief Courts, presided over by the Judicial officers, known as Chief Judges [97]. In civil cases the Chief Judges exercised unlimited powers [98], and heard appeals against the decrees and orders of subordinate courts. The Chief Judges tried all offences such as murder, dacoity, homicide and serious thefts. They also heard appeals and references from subordinate courts. Besides, they exercised revisional powers [99] and passed orders on police reports [100], The Chief Judges, before July 1916, were both the District Magistrate and Session Judges [101]. Since the High Court moved with the Darbar twice a year between Jammu and Srinagar, those applying for bail were put to great inconvenience. So that Chief Judges were empowered to receive bail application and, in the absence of Judge, High Court, to pass interim orders thereon with the prior permission of the Judge, High Court [102]. They were required to submit the papers to the High Court for final orders[103].

Sub-Judges:

There were sub-Judges in important towns like Jammu Srinagar, Mirpur, Udhampur, Kotli, Kathua, Muzaffarabad, Baramula and Bhadarwah. In other towns with a fairly large population the courts were presided over by *Munsiffs* [104]. The Sub-Judges in

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different localities enjoyed different powers in civil matters. while in criminal cases all of them exercised powers of a 1st class Magistrate[105]. They heard appeals from the decisions of *Munsiffs, Tehsildars* and *Naib-Tehsildars*. Under the state council Resolution, dated 13 July 1904, First Degree Courts for Sub-Judge were established at Jammu, Srinagar and Mirpur[106]. In 1905, the Sub-Judge, Muzaffarabad, was invested with powers to hold summary trial of offences under the Regulation of prevention of cruelty towards animals[107]. After 1913-14, the Sub-Judges of Jammu and Srinagar were designated City Magistrates and they were empowered to receive all complaints from the city. They usually tried first class cases themselves and transferred the rest to 2nd class Magistrates[108].

Munsiffs:-

The state Council increased the number of courts to make justice more accessible to the people in 1889 and 1904[109],. A *Munsiff* and a Sub-Judge was appointed in every *Tehsil* and District, respectively[110]. Certain Chiefs were invested with powers of Honorary Magistrates with defined jurisdiction[111]. The *Munsiffs* did not enjoy equal powers. Some of the *Munsiffs* were empowered to try civil cases upto the value of R_s 3,000[112] while others heard cases upto the value of R_s 1,000[113] or R_s 500 only[114]. In criminal cases some *Munsiffs* exercised powers of 1st class Magistrate while others did of 2nd Class Magistrates[115].

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The *Munsiffs* heard and decided all civil and criminal cases transferred to them by the *Wazir-i-Wazarat*[116]. Sometimes additional *Munsiffs* were appointed to dispose of arrears[117].

The City Judges and Judicial Assistants had powers to try civil cases upto the value of Rs3,000 and exercised 1st class Magisterial powers in criminal casses[118]. In 1914-15 additional civil powers were conferred on city Judges[119]. Sub-Registrars had the powers to try civil cases upto Rs. 450 in value. In criminal cases they exercised powers of 3rd class Magistrates[120]. The pay of Sub-Registrars was less than that of *Munsiff*[121]. In 1911, the small causes court was establishment in Srinagar [122] which gave some relief to the higher courts in Kashmir [123]. The pay scale of the presiding officer of this court was Rs 300-50-500[124]. In 1914, the post of a registrar of the small causes court was created. It was empowered to try civil cases.

Criticim

There is no doubt that the modern Judicial system under Maharaja Pratap Singh, based on the British-Indian system of justice, had beneficial principle of the highest important, but the introduction of the modern procedure in the State Judiciary gave rise to unnecessary details and complication resulting in unusual delays, and in many cases, even in ultimate failure of justice at enormous cost and troubles on the

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part of the litigants. The complicated stages of litigation and repeated adjournments largely contributed to bribery and corruption. In fact the worst feature of the judicial system was that it took five or six years to decide even a minor suit.

A defect of great magnitude was the huge cost of litigation. Higher court fees were charged in an effort to cut down the number of cases. This prevented the poor section of people from seeking justice. As a matter of fact, litigation was in extremely costly luxury in which only the rich could indulge Even plaintiff had to pay exorbitant court fee. The charges of professional lawyers were high; delay increased the cost much more.

Other defects of the judicial system were over-technicality of the land revenue regulations, the prevalence of the use of perjury and false evidence, the Hindu and Muslim laws, the strangeness of the procedure of the courts for the litigants, the lack of the training of the judges, the use of Urdu and English languages in the courts (most of the judges, being Punjabi or even Bengali, could not follow Kashmiri or Dogri), the susceptibility to bribery of the lower court officials, the furthering of litigation by lawyers and other interested parties, and the distance of the courts from the litigants.

The Kashmiri Muslim do not seem to have been benefited by the new judicial system. This was

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due to the fact that several discriminatory laws passed by the State were outrageously offensive to the Muslims of the State.

The then existing laws of the State relating to the inheritance of agricultural land did not permit the daughters of the Muslim parents to inherit their property in land.[126] The law of primogeniture was also in contradiction with the Mohammadan Law.[127] With regard to the right to change one's religion, a Muslim converted to Hinduism was not deprived of his right to property and guardianship over his children, whereas in the case of a Hindu converted to Islam all such rights were lost to him.[128] Moreover, the Kashmiris were denied the right to possess arms whereas the same right was given to the non-Muslims of the Jammu Province.[129] Similarly, the Muslim *Bakerwals* were branded a criminal tribe but the Hindu Bakerwal bore no such stigma. Dogra Mians were exempted from death penalty.[130]

Cow killing was declared an unlawful act by the State. Anyone found guilty of having slaughtered a cow was awarded life imprisonment which was later reduced to seven years.[131] A severe punishment was given to the Muslims on the mere suspicion of having committed the crime.[132] Very often a man convicted of cow killing, Tyndale Beiscoe writes, "was boiled in oil and then hung from a hook which was fixed on to a poll in a public place."[133] It is no wonder, then , that leading Kashmiri Muslims voiced their grave concern

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over the question of kine-killing when Lord Reading visited Kashmir in 1924. But it should be noted that "the Muslims expressed their resentment against the acts of terrorism, though not against the ban on cow-slaughter."[134]

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29. One such occasion occurred during the reign of Ranbir Singh when a large number of shawl weavers, in protest against heavy taxation on shawl industry . went in a procession to the residence of the Governor. In spite of the fact that the procession was peaceful and the demonstrators only intended to present the Governor with a petition, the Governor sent a company of soldiers to disperse the peaceful processionists. The consequence was that many Shawl weavers were killed and a numberless were injured in the stampede following the ruthless demonstration of force by the soldiers. A good number of men taking part in the procession, were arrested. Most of them died in prison because of cold and stravation-*Cashere Mis-government* (typed copy) p.19; Mir Saif Ullah, *op.cit.*, p.101; Khalil Mirjanpuri, *Tarikh-i-Kashmir* Vol. II, p.310, Mohd. Ishaq Khan, *History of Srinagar* , pp.60=61.

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36. It is important to note here that similar conditions prevailed in several parts of British India. For atrocities of police in British India, See John C. Curry, *The Indian Police* pp.353-57.

37. *Report on Administration of Kashmir* by Col. Nisbet, NAI/Foreign/Deptt. Feb. 1891. Sec. F. Nos.295-326.

38. Means *Thana*- police Station, *dars*- Officers (holder).

39. The word *Kotwal* was probably used for the commandant of a fort, when he had some police duties attached to his office as well. Originally a word of Hindu Origin, *Kot*- Fort, Wal-keeper. I.H. Qureshi, *The Administration of Sultanate of Delhi* p.173. under the Dogras, they served as the head of the police.

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46. N.D. Nargis, Tarikh-i-Dogra Desh, p.667.

47. Adm. Report 1938-39, p.23.

48. G. L. Kaul, op. cit., p.105.

49. N.D. Nargis, op.cit., pp.667-68.

50. Ibid., p.668.

51. G.M.D. Sufi, op.cit., p.797.

52. M.H. Ullah Khan, Tarikh-i-Jammu etc., p.61.

53. N.D. Nargis, op.cit., p.668.

54. Adm. Report., 1889-90, p.80.

55. Pt. Bhag Ram's Note on Administration of justice in Kashmir, NAI/Foreign. Deptt., Progs. Feb. 1890. Sec. F. Nos.67-69.

56. There was a clause in the penal code, which empowered the magistrate to take cognizance of any act not specified therein if such an act appeared objectionable to him. In the interest of Society, he could sentence the accused to a fine of 25 rupees. This gave the magistrate ample opportunity to punish people for disobedience of authority as well as to settle personal score. Ibid..

57. Adm. Report 1889-09, p.80.

58. Saligram Kaul, op.cit., p.237.

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59. *Confidential Note by Bhag Ram, NAI1Foreign Deptt. Progs., Feb. 1890. See. F. Nos.. 67-79.*

60. *Pt. Bhag Ram records "So jealous was the Durbar of private alienation of property that registration of documents could not be affected except under the signature of the Chief Minister, ibid.*

61. *J.C. Bose, Cashmere and its Prince, pp.. 19-20.*

62. *Pratap Singh declared on the occasion of his accession to throne, "Armed with purity of intention of firmness of purpose. I am reasonably entertain the hope of being able to clear administration agency of all corruption and incompetency and to impart to its maximum honesty and efficiency. Willam Digby, Condemned unheared p. 143.*

63. *Ibid., p. 144,. J.C. Bose. Op. cit., p. 15.*

64. *J.C. Bose, op. cit., p. 14.*

65. *Civil and Military Gazette, 13 Oct., 1886, p. 6.*

66. *NAI/Foreign. Deptt. Progs., See. E. March 1887, No.46-48, D/N No. 2.*

67. *NAI/Foreign, Deptt., Progs., Sec. E. Oct. 1886, No. 239.*

68. *NAI/Foreign Deptt., Sec. E., Nos. 235-300 (K. W.). Progs., Oct. 1886.*

69. *The imperial Gazetteer of India, XIV, 1908, p. 136.*

70. *Mohd. Pandit, Mukhtasar Tarikh-i-Kashmir, p. 185.*

71. *J&K State Archives Pol Deptt. No. 86 of 1897.*

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72. *Mr. Kapur, Kashmir Sold And Snatched, pp. 77-98.*

73. *NAI/Foreign, Deptt., Progs., See. E, March 1887. Cons. 46-48, D/N No. 2.*

74. *NAI/Foreign, Deptt. Progs., March 1900. Nos. 127-175, Sec. F.*

75. *The Imperial Gazetteer of India, XV, p. 136.*

76. *Report on Native Newspapers, Punjab, 1896, p. 324.*

77. *G.L. Kaul, op.cit, p.86, Also Mohd. Pandit, op.cit., P.185; Harim, op. cit., P. 185.*

78. *Ibid., p. 4 7.*

79. *For example, in the criminal case, Bakshi Bindraban and Punjab Singh vs. State, the State Council, in consultation with the Resident, directed Bakshi Bindraban not to live in the State. Bakshi submitted a petition of pardon to the Maharaja, to call for the records of the case. After going through all the papers, the Maharaja held that "I fail to see any justification of the order because it amounts to a sacrifice of all his rights and privileges to the full enjoyment of which all my subjects are equally entitled.. This sort of an order is not only an attack upon Bindraban's right, but is tantamount to an attack on my prerogative also.. I decline to permit the executive of so much of the Council's order as interferes, which is my prerogative as a ruler of the State" He noted "Don't carry out" this order*

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of the council and the Resident—Resident to Vice President, State Council, Letter No. 45-24, 7 July 1897, J&K State Archives (Old Records) Pol. Deptt., No. 86 of 1897. Similarly there were several other examples where the Maharaja either totally rejected the decisions of the Council or the Residency or made certain modification. Some of these examples are Kanahya Lal Vs. Smt. Ganesho (J&K State Archives (Old Records) Gen. Po.. Deptt. No. 68 of 1909; Abdul Karim Vs. Mr. Mohta (J&K State Archives old Records) No. 30 of 1907) Baines Brothers Vs. Pandit Sanju Dhar, J&K State Archives (Old Records) Gen. Pol. Deptt. No. 284 of 1907.

80. *NAI/Foreign Deptt. Progs.. March 1899. Extt. B(Conf) Nos. 62-63.*
81. *J&K State Archives Gen. Pol. Deptt. No. 188/N-50 of 1910.*
82. *J&K State Archives (Pol. Deptt.) No. 139-N-316 of 1907.*
83. *Ibid.*
84. J&K State Archives Pol. Deptt. No. 12-R/ 1924 of *1924.*
85. *J&K State Archives H.H. Pvt. Records, No. 10 of 1900.*
86. *J&K State Archives Pol. Deptt. No. 75 of 1925.*
87. *In cases where the judicial Member differed with the Revenue Member, the papers of the case were submitted to the Council with detailed notes for final orders. Ibid.*

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88. *The Resident, however, was at liberty to make representation to the council regarding such sentences and if it did not accept his views, he could send the case to the Government Sept. 1904, No. 63-64, Internal A.*
89. *NAI/Foreign Deptt. Progs., Aug. 1904, Nos. 161-69 Interanal A.*
90. *Report on Native Newspapers, Punjab, 1904, p. 51.*
91. *Documents relating to Poonch, S 1995-96.*
92. *Adm. Report 1889-90, p. 78.*
93. *Adm. Report* 1890-91, p. 82.
94. *Hariom, op. Cit., p. 24.*
95. *NAI/Foreign, Deptt. Progs. May 1922, Nos. 44-52, Sec. F.*
96. *Hariom, op. Cit., p. 27.*
97. *Adm. Report 1889-90. P. 79.*
98. *Adm. Report 1893-94, p. 463.*
99. *Adm. Report 1898-99, p. 370.*
100. *Adm. Report 1892-93, p. 178. Before 1900, the Chief Judges did not exercise enhanced powers under Section of 30 of the criminal procedure code. Sentences exceeding two years, when passed by the Chief Judges, under enhanced powers did not require confirmation of the High Court, J&K State Council Proceedings dated 23 Dec. 1900.*
101. *J&K State Archives Pol. Deptt. No. 228 of 1913.*
102. *J&K State Archives Pol. Deptt. No. 103/2 of 1917.*

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103. *Ibid.*

104. *A brief Note on the Jammu and Kashmir State 1927, p. 13.*

105. *For example, the sub-Judges of Mirpur heard appeals in Civil cases upto Rs 3, 000 in value while the Sub-judge of Udhampur exercised powers upto Rs 500 only.*

106. *Adm. Report 1904-05, p. 29. These Sub-Judges, who exercised 1st Class Magisterial powers, were also given enhanced authority to try cases under Section 30 of Criminal Procedure Code. Ibid.*

107. *In view of the inconvenience of the people of Kotli, who had to attend the Court of Mirpur in connection with the appeals, the Sub-Judge there was invested with powers under Section 407 of the Criminal Procedure Code (appeal from sentence of magistrate of the Second or Third Class transfer of appeals to First Class Magistrate). Rattan Lal and Dhiraj Lal, Criminal Procedure Code, p. 411.*

108. *Adm. Report 1913-14, p. 26.*

109. *Hariom, op. Cit., p. 47.*

110. *Molvi Hashmat Ullah Khan, op. Cit., p. 30.*

111. *J.C. Bose, The Maharaja of Kashmir, pp. 123-24.*

112. *Adm. Report, 1901-02. P. 379.*

113. *J&K State Archives, Pol. Deptt. No. 146/F-26 of 1909.*

114. *Adm. Report 1901—02, p. 379.*

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115. *J&K State Archives Pol. Deptt. No. 146/F-26 of 1909.*
116. *Council Proceedings, Vol. XV of Nov. 19,1903, 0. 7.*
117. *Tri. Adm. Report 1900-01, p. 374.*
118. *Ibid.*
119. *In the following year, all 1st class Magistrates were empowered to take cognizance of offences under section 109 Sub-section (I) Clauses a, b and c, relating to security for good behaviors from suspected persons, Adm. Report 1915-16, pp. 28-29.*
120. *Adm. Report 1898-99, p. 370.*
121. *J&K State Archives Pol. Deptt. No. 231/F-41 of 1907.*
122. *J&K State Archives Pol. Deptt. No. 133/H-29 of 1910.*
123. *J&K State Archives Pol. Deptt. No. 69/F-29 Part II of 1910.*
124. *J&K State Archives Pol. Deptt. No. 110/F-231 of 1910.*
125. *Adm. Report 1914-15, p. 8.*
126. *Gh. Hassan Khan, op. Cit., p. 121.*
127. *According to this law, the jagir or Muafi on the death of an assignee, descended upon his eldest son and in the event of there being no such son, upon the senior member of the senior branch of the family of the original grantee. For details see Supra Chapter III.*
128. *The Kashmiri Musalman, weekly, Lahore, 25 May 1931.*

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129. *Memorial containing demands of Kashmiri Muslims published by All Indian Kashmir Committee, Lahore, 1931, p. 21.*

130. *NAI/Foreign, Extl. A, Progs., Nos. 176-180, Oct 1890.*

131. *NAI/Foreign, Sec. F, Progs., Nos. 295-326, Feb. 1891,*

132. *Hariom, op. Cit., p. 12.*

133. *Kashmir in Sunlight and shade, p. 123.*

134. *History of Srinagar, p. 121.*

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Chapter IX

POLICE

It has already been mentioned how the State Police misused its powers and exploited the masses during the ruler of first two Dogra rulers.[1] The Police system barely functioned in the capital cities and towns, while the countryside was left at the mercy of robbers and highwaymen.[2] Robert Thorp remarks, "The system of the City Police resembles that of the land-tax system, in the number of different grades of officials, and consequent facilities for bribery and intimidation which it affords."[3]

The State Police, in 1885, was divided into two sections, one for Jammu Province, and second for the Kashmir Province. One Superintendent of Police was appointed for each province. They were supervised by Senior General of Police who was directly responsible to the *Durbar*. In 1883, the total strength of the State Police was as follows:[4]

	Jammu Province	Kashmir Province	Total
1. General of Police	1	--	1

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2. Superintendent Police	1	1	2
3. Deputy Superintendent	4	2	6
4. Inspectors	8	6	14
5. Deputy Inspectors	18	60	78
6. Sergents	137	49	186
7. Constables	1051	176	1277
8. Mounted Sepoys	6	---	6
9. Other Staff	102	29	131
Total	1328	323	1651

Thus the major portion of the State Police viz. more than 80 percent was posted in the Jammu Province.[5] This was due to the fact that more crimes were reported to Police in the Jammu Province.[6] There was no effective police system in the Frontier districts of Ladakh and Gilgit , and the *Wazir-i-Wazarats* of these territories were required to establish law and order with the help of military.

There was a Central Jail in Jammu and another in Kashmir with branches at the head quarters of each districts. where short-term prisoners were detained.[7] The condition of these jails was in no way better. Discipline was very lax and the prisoners could even sleep in their own houses at intervals. Sanitation was grossly backward. The prisoners were often sent to Bandipora for 6 months for husking *shalil* for the

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Gilgit garrisons. The prison accounts were never properly checked or audited.[8]

After 1889, no structural change was made in the police department. There was one Superintendent of Police, as before, in each province of Jammu and Kashmir, while the post of Senior General of Police was abolished. The control of Police Department was vested in the Commander-in-Chief of Jammu and Kashmir State. There was one Assistant Superintendent under each Superintendent, who held almost independent charge of Sub-Divisions.[9] There was several Inspectors, Deputy Inspectors, Sargents, and Foot and mounted constables under them. The strength of the State Police force almost remained unchanged for next two decades.[10]

The State Council introduced several reforms in the Police Department. Several new police stations were established and S.H.O's were appointed with defined powers. The Srinagar city was divided in 4 circles instead of 8,[11] and one Deputy Inspector was appointed in each circle. Definite rules regarding recovery, refund and proper accounting of fines were laid down.[12] A Circular seeking to prevent torture by the police for extorting confessions was issued.[13] Provision was also made for the correct preparation and submission of monthly criminal returns to the higher courts.[14] The transfers of officials in charge of police stations was to be made every third year.[15] A special

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squardon of police was formed to check the robbery on the Jehlum Valley Road.[16]

There were two preliminary schools in the State, one at Srinagar and other at Jammu, for training constables and Sargents of lower grades. Sargents of higher grades, Deputy Inspectors and Inspectors were usually sent for training to the Punjab Police Training School at Phillour.[17]

Similarly several reforms were introduced in the administration of Jails. Experienced jailors were appointed; jails were repaired and the sanitation was improved.[18] The prisoners were supplied with food, uniform and bed. For the first time, rules were made for the inspection of articles of food and drink meant for prisoners.[19] In 1890, rules regarding warrants of commitment to jails were framed.[20] To avoid movement of short-termed prisoners to central jails at Jammu and Srinagar from long distances, provision was made for their detention in *muffasil* jails.[21] Hospital Assistants were appointed in almost every jail.[22] The prisoners began to be governed by the Mark system.[23] This system was already in force in British India. It worked satisfactorily in the State Jails as well and gave material help in the maintenance of discipline and promotion of jail industries. The Punjab Jail Mannual was followed in the internal Management of the jails.[24] The old system of sending prisoners out for forced labour was completely

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stopped and now they were required to work in the jails.[25]

In spite of all these reforms, no considerable improvement was made by the State Police till the beginning of 20th century. It was largely due to the fact that the State Police which for so many decades in past had exploited the common people,[26] could not be reformed within a few years. Most of the Policemen were the remnants of the Ranbir Singh era and it was difficult for the State Council to change their old habits and the system of working.[27]

Another main drawback was the low rates of pay allowed to officers and men of police force; the pay of Deputy Inspector and Inspectors was, particularly, very low.[28] Sometimes the *Chowkidars* or village watchmen who assisted police in suppressing crimes in the rural areas,[29] received no pay from the State and lived on the contribution of the villages within their beat.[30] Thus the police officers and men had no other alternative but to take bribes as before, and this fact made all the reform regulations introduced by the Council since 1889, meaningless for a common man.

Besides, several Police Officers were ill-qualified to discharge their duties.[31] The existing strength of the police stations was not fixed with due regard to the State crime. The detective police was non-existent and the Treasure guards were deficient in

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strength. There was no proper police lines in Kashmir, nor was there any suitable office for the superintendent of police. The *thanas* in the rural areas, or even in the capital cities, were generally in bad condition and badly needed repairs.[32]

The criminals belonged to the so-called communities of low-caste origin as *sansis, pernas, Bhattis, Mochis, Chibs, Gallabans*[33] and *watals*. Besides the criminals visiting Jammu from the Punjab often added to the problems of the State Police.[34] Although the list of bad characters was annually revised by district officers and security was taken from those suspects,[35] yet in the absence of any cooperation from villagers and their *Lumberdars*, who were unwilling to give any evidence against the bad characters, out of fear or otherwise, it became very difficult for State Police to establish law and order in the rural areas.[36]

There was, as a result, an increase in the number of crimes in the State.[37] The inefficiency of the Police is evident from the fact that in 1901-02, the loss of property under burglary cases amounted to Rs 38,985, of which only a sum of Rs 10,274 or 26% of the total loss was recovered.[38] The loss of property under theft cases was Rs 30,886 and the property was recovered worth Rs 6,148 or about 20% of the total loss.[39] These figures show that the State Police failed to recover even one-fourth of the total lost property reported to Police. It will not be out of place

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to mention here that till the beginning of 20th century, the majority of the recruits in the State police was still illiterate,[40] and this hindered the development of the police Department.

With the beginning of the 20th century, however, certain changes began to take place in the Police Department. A Commission was appointed by the State Council in 1902, under the Chairmanship of Raja Amar Singh, the Commander-in-chief of the State forces, to improve the functioning of State Police. The Commission recommended:

1) The opening of two sub-divisions in Jammu Province one at Mirpur and other at udhampur respectively under the charge of an Assistant Superintendent of Police with sufficient office establishment.[41]
2) re-organisation of the strength of various police stations in the State;
3) increase in the Treasury Guards;
4) establishment of detective branch; and
5) increase in the salaries of the Deputy Inspectors and Inspectors.[42]

The Resident approved the scheme with the remarks that greater efficiency could, however, be secured only by strengthening the higher grades and providing them a compact and well-trained force to work with, than by retaining a large number of constables, who could not be efficiently trained and

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supervised.[43] At the sametime, the State Council introduced several rules and regulations for the guidance of the police force.[44] The State Police cooperated with the Punjab Police viz. S.P.'s of Sialkot, Rawalpindi, Lahore, etc. in suppressing crimes.[45] In 1907, the State Government authorised the District Magistrates and police to keep a close and stern watch on the law breakers and other seditious activities.[46] With the completion of the Jehlum Valley and the Banihal cart roads, motor vehicles began to arrive from British India. Therefore the State Motor Vehicles Regulation came into force in 1918, and the work of registration etc., under the regulation was entrusted to Police.[47] Kashmir Fire Brigade was established in order to check the fires, frequently occurring in the State, under the police supervisioin.[48]

The Police Department was reorganised in 1915 when the post of Inspector General of Police was created, subject to the general administrative control of the Home Minister.[49] Subsequently, C.G.D. Farquhar was appointed as first I.G.P. of the State.[50] The rates of pay of all ranks in the police force was increased and some additions were made to the numerical strength of the force.[51] The monthly pay of the S.P. of the Jammu Province was increased to Rs 400 and that of Kashmir to Rs 300. The three Assistant Superintendents of Police, two in Jammu Province and one in Kashmir, were given a salary of Rs 150. The strength of Inspectors was increased to a

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total of 13, and they were placed in the grade of Rs 95-85 and 75.[52] There were 47 Deputy Inspectors in the grade of Rs 60-50 and 40. Similarly the strength of mounted and foot sargents was swelled to 263 and of mounted and foot constables to 1339. Their grades were fixed at Rs 13-26, 20, 14 and 10, and Rs 21, 7 and 6 respectively.[53]

Next year the strength of police officers was increased from 328 to 367, and those of men from 1339 to 1768.[54] Thus within one year the strength of police force was increased from 1667, a figure which almost remained static from 1883 to 1915,[55] to 2135. Except in the case of constables, the revised scales of pay appears to be generally adequate.[56]

During the Great War of 1914-1918, most of the posts in the lower cadre of Police Department remained vacant. It was largely due to the meagre salaries of the constables, which was only Rs 6 or 7 in most of the cases.[57] A large number of constables had left for the Punjab, particularly from Jammu Province, because of the better wages offered by the Punjab Police.[58] Moreover there were extra-ordinary demands on the man power of Jammu Province since the out-break of Great War.[59]

After the end of the world War I, several remarkable changes were introduced in the police Department. After the formation of new state Executive Council, a separate post of Finance and

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Police Member was created, and the general administrative control of Police Department was transferred from Commander-in-chief to the Finance and Police Member.[60] Mr. B.J. Glancy, the newly appointed Finance and Police Member, in collaboration with Mr. D.S. Hadow, Inspector General of Police, introduced certain reforms of far-reaching consequences. [61] As a result of these reforms, the rates of pay of all ranks were further increased. Several new circulars were introduced for the guidance of Police force. The list of the bad characters and criminals was annually revised by the district police officers and a close watch was kept on them .[62] police Stations were opened at several new places. Large additions were made to the Police force, especially those of constables, and as a result, the strength of Police force reached 2409 men in 1925.[63]

Now the state Police comprises of one I.G.P. in the grade of Rs. 2100; 2 Superintendents of police in the grade of Rs. 300-20-600; 3 Asstt. S.P.'s in the grade of Rs. 200-10-275; 5 Asstt. S.P.'s (Prob.) in the grade of Rs. 100; 16 inspectors in the grade of Rs. 100, 125 and 150; 73 Dy. Inspectors in the grade of Rs. 50,60 and 70; 333 sargents in the grade of Rs. 20,25 and 30; and 1972 constables in the grade of Rs. 13, 14, 15 and 16.

The revised scales of pay appear to be generally adequate. The pay of Inspector General of Police seems to be too high; his pay, excluding all those generous benefits and facilities which he enjoyed, exceeded the salaries of almost 160 constables. [64]. The high rate of illiteracy, particularly in the lower cadres, created considerable problems for the department as well as the people. Similarly there was an increase in the crimes; 3520 cognizable offences were reported to police in 1925-26.[65] The following statement shows the state of some heinous crime reported in the same year. [66]

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S.NO.	Offences	Jammu Province	Kashmir Province
1.	Mrders	22	17
2.	Docoities	10	7
3.	Robberies	8	3
4.	Burgalries	688	310
5.	Thefts	199	215
	Total	**927**	**552**

More cases of burgalaries and thefts were reported to police, like previous years, than other crimes,[67] and most of them were committed in Jammu Province. The State Police, like several previous years, failed to recover even one-fourth of the total property stolen; the percentage being 22.8 in 1925-26.[68] The details are given below:

Province	Amount Stolen	Amount reconered	% of reconeries
Jammu	1.11.379	19.591	17.5
Kashmir	39.308	14.937	37.9
Total	**1,50,687**	**34,478**	**22.8**

In spite of all this, the efficiency and discipline of the State Police largely improved during Maharaja Pratap Singh's reign. The State Police force was put to test during the upheavals of 1931 when the Kashmiris rose in revolt against the Dogra Raj. After 1931, the State Police had to perform rather unpleasant job of suppressing the freedom movement in Kashmir.

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REFERENCE:

1. See Supra Chapter VIII.
2. Report on the Administration by Col. Nisbet. NAI/Foreign. Deptt. Feb. 1891, Nos. 295-326 (Sec. F.).
3. *Cashmere Misgovernment (Kashmir Papers)*, p. 78.
4. *Report Majmovi* 1882-83 by Diwan Anant Ram, p. 144.
5. *Ibid.*
6. Crimes reported to Police in 1882-83:

	Jammu	Kashmir	TOTAL
1. Rape	53	8	61
2. Riot	14	--	14
3. Unlawful Activities	96	2	98
4. Abortion	11	--	11
5. Serious offence including murder	38	33	71
6. Minor offences	773	--	773
7. Illicite trade in women	20	--	20
8. Fraud	7	--	7
9. Other crimes	409	139	548
TOTAL	1420	182	1601

It is interesting to note that almost 90 percent of the total crimes were committed in the Jammu Province. Still out of

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the total persons imprisoned during the year, the Kashmiri Muslims constituted more than 50 percent of the total.

Total persons imprisoned in 1882-83

Province	Hindu	Muslims
Jammu	349	512
Kashmir	140	1140
TOTAL	**489**	**1652** *Ibid.*

7. *Adm. Report* 1889-91, p. 94.
8. *Ibid.*
9 .*Adm. Report* 1904-05, p. 38.
10. *Tri. Adm. Reports* 1901-04, 0. 65.
11. *Adm. Report* 1894-95, p. 16.
12. *Adm. Report* 1889-90, p. 81.
13. J&K State Archives Pol. Deptt. No. 111/N-80 of 1912.
14. *Adm. Report* 1889-90, p. 84.
15. *Adm. Report* 1896-97, p. 25.
16. *Adm. Report* 1894-95, p. 16.
17. *Adm. Report* 1904-05, p. 38.
18. *Adm. Report* 1889-90, pp. 94-95.
19. *Ibid.*, p. 81.
20. *Adm. Report* 1890-91, p. 80.

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21. *Adm. Report* 1892-93, p. 178.

22. *Adm. Report* 1889-90, p. 94.

23. The Mark system denoted the marks to be awarded to a convict for his good behavioiur and satisfactory performance of his duties allotted to him by Jail Officers. *Adm. Report* 1890-91 p. 88.

24. *Ibid.*

25. *Adm. Report* 1891-92, p. 71.

26. *Cashmere Misgovernment (Kashmir papers*, p. 87)

27. Pt. Bhag Ram, The Judicial Member of the State Council declared in 1892, "The Country is not yet free from Police Oppression." - *Adm. Report* 1891-92, p. 114.

28. *Ibid.*

29. *Adm. Report* 1896-97, p.24.

30. Walter Lawrence writers that even their uniforms of blue and red and their official spear were provided by the villagers—*The Valley of Kashmir*, p.228.

31. *Adm. Report* 1892-92,p.IV.

32. *Tri. Adm. Report* 1901-04,

33. *Gallabans were* notorious horse lifters.

34. *Tri. Adm. Reports* 1901-04, p.63.

35. Since 1892, the names of all those persons who were Register of cognizable offences, were entered in the

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Register No..10—*Laws of Jammu and Kashmir* , 1945 to 1977, Vol,I,pp.17-18.

36. *Tri. Adm. Report* 1901-04, p.63.Dr. M. Surajbal records "People never cooperated ...Police could do very little in the way of detection and suppression of local crime without the help and cooperation of local *Zamindars* and *Lamberdars*. The Villagers generally hesitated through fear or sympathy, to come forward before the court to give evidence against them." *Ibid.,* p.79.

37. *Ibid.,* p.61.

38. *Ibid.*

39. *Ibid.*

40. Table of education in Police Department in 1901-02.

	Literate	Illiterate
Inspector	5	1
Dy Inspector	42	5
Sargents	120	50
Constables	358	932
Total	525	988

41. It was recommended in the light of the fact that more crimes were reported in the hilly areas of Mirpur and Udhampur. *Ibid.,* p.60.

42. J&K State Archives, Pol. Deptt. No. 24N-118 of 1907.

43. Resident to State Council, *ibid.*

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REFERENCE

44. The following circulars were issued by the State Council for the guidance of Police Force:

1/. Circular regarding Medical examination of Women.

2/. Circular regarding medical examination of injured persons.

3/. Circular regarding discipline and training of Police officials.

4/. Circular regarding directions to proceed under See.. 169 of the Criminal Procedure Code.

5/. Circular regarding Powers of Assistant Superintendent.

6/. Circular regarding instructions for the Court inspectors.

7/. Circular regarding execution of warrants under Gambling Act by the 1st grade Sergants. *Adm. Report* 1901-04, p. 82.

45. *Ibid.*

46. J&K State Archives Pol. Deptt. No. 24N- 1 18 of 1907.

47. *Adm. Report* 1913-14, p.4.

48. *Adm. Report* 1896-97, p. 24.

49. *Adm. Report* 1914-15, p.5.

50. *Adm. Report* 1915-16, p.22.

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51. *Note on J&K Police*, J&K State Archives Pol. Deptt. No. 122/H-84 of 1921.
52. The Inspector of Kothi Bagh Police Station, as an exceptional case, received a salary of Rs 180 which even exceeded the salary of Asstt. S.P. The Police Station of Kothi Bagh was most important in the city of Srinagar and the Inspector, Kothi Bagh Police Station, was to much an extent responsible for the maintenance of law and order in the city. *Ibid.*
53. *Adm. Report* 1914-15, p. 5.
54. *Adm. Report* 1915-16, p. 22.
55. The total strength of State Police, as compared to 1667 men in 1915, was almost same in 1883 viz. 1651, *Report Majmovi* 1882-83, p. 144. In 1903, it was slightly reduced to 1516 men – *Tri. Adm. Report* 1901-04, p. 65.
56. *Adm. Report* 1915-16, p. 22.
57. *Ibid.*
58. *Note on J&K Police*, J&K State Archives Pol. Deptt. No. 122/H-84 of 1921.
59. *Sketch of the War Services rendered by the Kashmir Imperial Service Troops*, J&K State Archives Pol. Deptt. No. 194/55-Misc of 1921.
60. J&K State Archives Pol. Deptt. No. 19/E-67 of 1924.
61. *Adm. Report* 1925-26, p. 25.

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REFERENCE

62. J&K State Archives Pol. Deptt. No. 85/M of 1922.
63. *Adm. Report* 1925-26, Annex. X.
64. *Ibid.*
65. *Adm. Report* 1925-26, p. 25.
66. *Ibid.*, pp. 25-26.
67. One case of counter feiting coining was reported in Kashmir Province, *Ibid*, p. 26.
68. *Ibid.*, Annex. X.

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Chapter X

SUMMARY

In this work we have studied the development of various aspects of administration in the reign of Maharaja Pratap Singh. His accession to throne in 1885 is a landmark in the history of modem Kashmir. The fateful events of his reign left a deep imprint on the history of the Jammu and Kashmir State. A new framework of administrative structure was provided to the State, most of which continues to function even in the present times.

The old pattern of administration continued to function till 1889. The Maharaja was the supreme authority in the state and the state administration was run by a band of Dogra officials. During the period 1885-89, the Durbar remained a hot-bed of conspiracies and the brothers of the maharaja struggled hard to gain more political power in the State. In consequence, various vested interests began to enter the arena of politics and thus contributed a great deal to the growing political instability in the State. The Maharaja formed four ministries during the first four years of his reign but all of them failed to provide any

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stable administration to the State. At this critical moment, the British paramount power came forward to establish a stable government in the State after removing the Maharaja from the power.

The establishment of the Council's rule in Kashmir State by the British was motivated not by any humanitarian considerations but it was actually actuated by imperial considerations. The political events of Asia during the second half of 19th century show that the Kashmir State was no longer a neutral zone which would separate the Asiatic Empires of England and Russia. During a century of political expansion and military brinkmanship, never did the frontiers of Russia and British India come closer to collision than they did in the Gilgit region in 1885-1895. The Russian occupation of certain parts of Central Asia created panic in the British circles and it was felt that Russia was fast marching towards India. The decision of the Government of India to bring the Jammu and Kashmir State under her influence in 1889, through a Council after removing the Maharaja from power on the plea of maladministration, therefore, lends weight to our argument that the British move was purely based on bringing the State and other frontier territories under imperial defence scheme.

After the establishment of the Council in the State, top priority was given to the State army and its reorganization. The British administrators introduced

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reforms almost in every department of the State, especially in the agrarian system. The land revenue system in the pre-1889 period, was highly exploitative. The State had to support one of the largest armies in the British India, and had also to spend beyond its resources on the royal family and the top heavy administration. The expenditure was enormous and land revenue was the only major source of income to the State. Thus, from the very beginning, the Dogra administration imposed high land taxes upon the people of the State, and intensified the process of exploitation in a bid to recover more and more from the impoverished peasantry. The system of realizing revenue in kind was, undoubtedly, irksome, unmanageable and expensive. The revenue was collected in a manner which combined the greatest risk of loss to the ruled with greatest certainty of extortion from the ruler. The revenue officials played a very destructive role during this period. At the same time, the *jagirdari* system rendered the peasant utterly destitute. The *jagirdar* was practically the owner of land and the peasant was nothing more than a purchased slave, the former enjoyed unlimited power of collecting revenue in his *jagir*. Muslims of the State suffered even more as most of the *jagirs* in the State were held by the Rajput Dogras and Kashmiri Pandits. More than one-tenth of the State population suffered under the misrule of the Rajas of Poonch and Chenani. The Rajas were the hereditary autonomous rulers of these 'mini states' and practically enjoyed the sovereign powers. A host

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of *chakdars*, *Muafidars* and *Muqqarrari-Khawars* exploited the peasantry and were dead weights on the State exchequer.

One of the most important events of Pratap Singh's reign was the revenue settlement of the Jammu and Kashmir State. Under the able guidance of Walter Lawrence, the land revenue was properly assessed and fixed in cash for a definite number of years. The drastic changes were brought in the revenue collecting machinery and the chances of exploitation of peasantry at the hands of revenue officials were reduced. A good number of cesses were abolished and the use of force in the collection of land revenue was done away with.

In more than one important respect, however, the land reforms were defective. While some influential persons were recognized as the owners of land, the great majority of the peasants were denied the proprietary rights in land. As a matter of fact, the bulk of the peasantry was that of tenants, with no rights over the land. Added to this, the *jagirdars* and *chakdars* continued to exploit the peasantry even after the inauguration of the land settlement.

Lawrence also failed to abolish the evil system of forced labour (*begar*). Thousands of peasants were sacrificed at the alter of British imperialism in Gilgit. The State half-heartedly introduced a few legislation to reduce the sufferings of the labourers seized for

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begar. It was only with introduction of wheeled traffic and the more extended use of baggage animals that considerable relief was afforded to the people in respect of the system of *begar*.

Rural indebtedness also remained the worse feature of the agrarian system. The agrarian economy could not function without money-lending system. A majority of the peasants took debts from money-lenders at a high rate of interest. The State Government tried to lesson the burden of the peasantry by opening the Cooperative Credit Societies, but only a small portion of the rural population was benefited by this measure.

The Judicial machinery was overhauled and some significant changes were introduced in it. The State Council combined in itself the functions of the highest legislature and the judiciary of the State. Several new courts were opened with larger number of judges. As a result of these measures, the judicial powers of the Maharaja were curtailed to a considerable extent.

The maintenance of law and order improved with the reorganization of the Police Department.

The Council transferred the power and control in financial matters from the Maharaja to the Resident. The State Council reformed the treasury system and introduced the system of Budget. The

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newly appointed Accountant General also introduced system of auditing and reappropriation.

Besides land revenue, forests brought enormous income to the State. Timber was supplied to the British India, mainly for the construction of railways at considerable profit. With the reorganization of the silk factory on scientific lines in the reign of Pratap Singh, the revenue of the State considerably increased. No doubt, the Silk Industry of Kashmir began to be known as one of the largest silk industries in the world. Income from Octroi, Customs and excise was also considerable. With the development of judicial system, the income from stamps and registration also increased. Besides, there were numerous taxes imposed upon the people which brought enough revenue to the State.

In spite of the developments taking place in the various fields of administration, little was done to improve the general condition of the common man. Outwardly, the expenditure on public works topped the list of expenditure, but in reality the greater part of revenues was spent on the construction of roads of strategic importance. The second important item of expenditure was the army. In the British imperial design, the army of Jammu and Kashmir State had an important role to play. The policy regarding military expenditure was not framed solely on the grounds of the State's defence but that of the whole of India. Thus 'The Sentary State', as Kashmir came to be

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known, was burdened with the task of imperial defence. The Kashmir army suddenly found itself as the guardian of the Indian frontier. It served the British imperial interests to a great extent particularly during the World War I when in a bid to show its loyalty, the State administration supplied both men and material to the Imperial Government. Thus the finances of the poor State were over-burdened.

An important item of expenditure was on the Maharaja and his family whose extravagances, as we have attempted to show in our research work, exhausted a considerable portion of the State budget. Thus the emerging thesis is that generous expenditure on the British Imperial needs and the royal family contrasted sharply with the niggardly grants for education, public health, municipal and irrigation works. It is, therefore, no surprise that these glaring defects of Kashmir administration along with other issues such as keeping the Muslims out of State administration, heavy taxation and consequent destruction of the industries, forced labour, and the open oppression carried on by the Maharaja's officials in their *jagirs and Chaks*, became a plank among Sheikh Mohammad Abdullah who spearheaded the movement against the Dogra oligarchy.

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APPENDIX I

·Irshad of Maharaja Pratap Singh'[1] (Originally written in Persian)

Dear Younger Brother,
Possessed of much good manners,
Raja Amar Singh Ji.

Whereas for the good of the State, and its better administration on the model of the great British Government as desired by us, we do hereby entrust all the administrative matters of the State of Jammu and Kashmir to Members of Council detailed below for a period of five years:-

Raja Ram Singh,
Raja Amar Singh,

an experienced European to be appointed in consultation with the Government of India on a salary of Rs 2,000 to Rs 3,000 per month who shall be a

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servant of the State, Rai Bahadur Pandit Suraj Koul, and Rai Bahadur Pandit Bhag Ram.

The above mentioned Council shall exercise administrative powers in all departments of the State for a period of five years. In case of any vacancy occurring within the said period of 5 years in the posts of the above mentioned last 3 members only, the vacancy will be filled up at our desire by the Government of India.

After the expiry of the said period of 5 years, we shall have power to adopt such administration for the State as may to us appear proper. The said period of 5 years will commence from the date of this parwana.

All matters, great or small, "private" or connected with "private," and Mahalat (the palace), both inner and outer, will not be liable to interference of any sort by the Council, nor will the Council have any concern with them.

Such cash and kind for our own expenses and for those of the Mahalat (the palace) or connected with "private" as are fixed and allowed upto this time and are taken from the State, shall in future be received as heretofore. The Council will on no account have the power of causing any reduction in the same.

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Such Jagirs and properties, movable and immovable, as are attached to Mahalat (the palace) or are "private", will not also be subject to interference by the Council. These shall be entirely under the personal control of ourselves.

Such expenses as will be incurred on occasions of marriage and death and in the observance of other temporal and religious rites shall be defrayed by the State.

The President of the Council will be appointed by the order and desire of ourselves from among our full brothers.

For the period of the above mentioned five years, we shall not interfere in the management of the State: but in other respects, the honour and freedom due to our rank shall rest with ourselves.

The above mentioned Council shall not have the power without our sanction to enter into any new treaty or agreement with any State, or the Government of India, or to modify, rescind or renew any treaty or agreement of our ancestors or our own.

The Council will not have the power of granting or giving without the sanction of ourselves any Jagir, or proprietary rights and pattas of land, or of selling any immovable property of the State of

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public, or alienating any movable property or any other beneficial rights of the State.

Signed and sealed
By His Highness the
Maharaja on 27th
Phagan, Sambat 1945
(8th March, 1889)

1. NAI/Foreign, Sec. E. Nos. 179-180, progs., Sept. 1890; NAI/Foreign, Sec. E. No. 88, progs., April 1889.

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APPENDIX II

Copy of Pratap Code

A regulation to ameliorate the condition of the Dogra Rajputs was passed by the Maharaja Pratap Singh, under the State Council Resolution, dated 3rd February 1894, which had the following articles.[1]

"I. Waste land shall be given to Rajputs and an edict of grant will be given to each grantee by the Maharaja.

II. The area of land to be given to each Rajput family shall not exceed ten Ghumaon.

III. the Maharaja will allow five percent of the total area allotted to each Rajput family untaxed so that they may maintain their old practice of keeping their houses secluded.

IV. For the first five years, the land granted to Rajputs shall be free of revenue.

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V. After the first five years, half the ordinary rates of the land revenue will be taken at the rates of applicable to the neighbouring land.

VI. The grantee, to whom the land is allotted, shall not alienate the grant without the previous sanction of the Maharaja. Any transfer made in contravention of this rule shall be null and void and shall render the alienator liable to take such penalty as the Maharaja may determine.

VII. Every Rajput who obtained land under the Pratap Code will be expected to send his sons to the school.

VIII. All the grantee will enjoy proprietary rights under the provisions of this Code and will be expected to maintain their allegiance and loyalty towards the Maharaja, failing which they will be liable to the confiscation of all these rights.

IX. The villages constituted under this Code shall be exempted from Kar-a-Begar.

X. Free land will also be granted to each Rajput grantee for building purposes.

XI. Ground for pasturage shall be allotted for each village not exceeding one fourths of the total area of holdings comprised therein, and

XII. Finally, the Maharaja desires that State officials should show zeal in carrying out these

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APPENDIX II

provisions. The maharaja would advise his Rajput brethern and relatives not to loose opportunity."

Sd/-	Sd/-
Bbag Ram	Pratap Singh
Secretary to the	The Maharaja of
State Council	Jammu and Kashmir State

True copy
Kashmir Residency Office

1. J&K State Archives, Gen. Pol. Deptt. No. 67, of 1894.

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APPENDIX III

The list of the perquisites (rasum) taken by the State revenue officials annually from the villagers in addition to the land revenue, before the Lawrence's Settlement.[1]

	Amount (chilki) *Rs a. p.*
Tehsildars	12 0 0
Tehsildar's Assistant	8 0 0
Naib-Tehsildar	8 0 0
Naib-Tehsildar's Assistant	5 0 0
Parcha Navis	5 0 0
Mir Chaudhari	13 0 0
Assistant to Mir Chaudhari	11 0 0
Mir Zilladar	5 0 0

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Zilladar	10 0 0	
Rassad-Talabana	25 0 0	
Blankets taken	4 0 0	Price was Rs 10 Price Given by officials was Rs 6
Ponies	22 0 0	Price was Rs 40 Officials Rs 18.
Items for permission to pay as revenue 1 Kharwar of Cotton.	5 0 0	
Ghi taken	12 0 0	
Sheep taken	6 0 0	
Violets, Zira and Guchis	4 0 0	
Chob-i-Kot	21 0 0	
Wool	12 0 0	
Grass	8 0 0	
Share of crop taken by Zilladar	9 0 0	
Share of crop taken by Mir Chaudhari.	7 0 0	
Share of crop taken by Patwari	7 0 0	

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and Lambardar	
Item taken by police	6 0 0
Tehsil Establishment	7 0 0
Wasil Ba'ki Navis	10 0 0
Sihaya Navis	3 0 0
Tehsil Treasurer	2 0 0
Tehsil Kanungo	4 0 0
Twenty fowls taken by officials	5 0 0
Tehsildar's fine not credited to the State.	10 0 0
Miscellaneous	4 0 0
Total	270 0 0

1. Walter R. Lawrence, *The Valley of Kashmir*, pp 416- 17.

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APPENDIX IV

Statement showing the total annual income and expenditure of the State during the reign of Maharaja Pratap Singh.

Year	Income Rs	Expenditure Rs
1889-90	47,00,801	39,61,108
1890-91	48,45,931	59,24,853
1891-92	53,52, 254	68,14,105
1892-93	51,13,008	61,02,012
1893-94	50,73,872	62,42,747
1894-95	66,14,910	61,82,645
1895-96	67,40,321	61,22,840

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1896-97	65,11,052	61,13,488
1897-98	67,14,897	59,95,198
1898-99	77,26,206	60,04,998
1899-1900	72,15,432	63,88,569
1900-1901	74,56,196	65,52,138
1901-02	77,16,426	72,27,919
1902-03	79,23,628	78,19,492
1903-04	89,09,229	86,48,178
1904-05	88,48,163	87,59,484
1905-06	92,99,630	1,01,42,225
1906-07	1,06,09,934	1,08,62,734
1907-08	97,05,871	1,14,52,684
1908-09	96,50,180	1,06,94,954
1909-10	1,14,20,549	1,06,04,169
1910-11	1,13,66,311	1,06,13,239
1911-12	1,17,43,959	1,98,33,233
1912-13	1,33,06,131	1,17,30,418
1913-14	1,36,52,596	1,27,31,378
1914-15	1,24,43,707	1,26,49,791
1915-16	1,28,69,552	1,34,89,065

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APPENDIX IV

1916-17	1,50,63,038	1,32,61,371
1917-18	1,42,53,826	1,43,31,102
1918-19	1,41,97,874	1,56,76,309
1919-20	1,87,08,168	1,51,34,193
1920-21	1,86,24,493	1,73,57,691
1921-22	1,92,84,372	1,93,09,157
1922-23	2,26,56,512	1,97,33,587
1923-24	2,29,47,129	2,29,35,459
1924-25	2,14,89,442	2,20,97,0 54
1925-26	2,32,71,232	2,47,60,172

1. The Table is based on the Administration and Financial Reports of the respective years.

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APPENDIX V

Following were the contributions which were made by the Kashmir Durbar towards the various funds during the world war I:[1]

		Rs.
1.	Indian Relief Fund	5,00,000
2.	Delhi Conference	5,00,000
3.	'Our Day' Fund	1,00,000
4.	Punjab Aeroplane Fund	1,50,000
5.	Prince of Wales Fund	1,00,000
7.	Donation to Lord Kitchner's Memorial Fund	30,000
7.	French Soldiers Relief Fund	5,000
8.	London Officers Family Fund	10,000

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9.	Contribution in aid of Hospital and Ambulance Motor Service for wounded in France	1,00,000
10.	St. John Ambulance Red Cross Fund	800
11.	Donation for X-Mas Gift for British Indian Soldiers at War	500
12.	Donation to war Fund started in France.	2,000
13.	Donation to Indian Soldiers Memorial at Bigton.	7,000
14.	Donation towards national Romanian Relief Fund.	700
15.	Donation for use ful Articles to troops at the Front.	7,000
	TOTAL	**15,12,400**

1. J&K State Archives, Gen. Pol. Deptt. No. 31/E 100 of 1915; *Adm. Report* 1916-17, p. 4; NAI/ Foreign, Pol. Intl. B, Progs., Sept. 1915, No. 440; NAI/Foreign, Pol., Progs., Oct. 1916, Nos. 35-36.

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APPENDIX VI

Orders of His Highness that Pathar Masjid, Srinagar, should be utilized for Srinagar Gadadhar Ji orphanage.[1]

The Pathar Masjid is in the possession of the State since the time of the late Maharaja Gulab Singh of revered memory and the movement now started for its recovery is due to ulterior motives and should not be countenanced in any way. The tradition is that it was built by a prostitute and was never used as a mosque by the Mohammedans. The decision arrived at in the time of the late Maharaja Gulab Singh should be respected and binding on all and especially on members of the Royal Family. The Movement should be nipped in the bud and it should receive no encouragement. The question is not one for being put in Council. The agitators must be given clearly to understand that they have no rights.

Order No. 2852/M

Signed and sealed by
His Highness the Maharaja
On 10th October, 1922.

1. J&K State Archives, Pol. Deptt., No. 55/E-3 of 1911.

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GLOSSARY

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Abi:	Irrigated land
Abiana:	Water-charge
Assami:	A superior tenant holding land directly from the State.
Adalat-Dag-i-Shawl:	Court for disposing of Shawl cases.
Adalat-ul-Alia:	High Court.
Assamiwar-Khewat:	An assessment on holdings
Baki:	Arrears due in the name of any person.
Bania:	Village money-lender.
Begar:	Forced labour
Bund:	Embankment
Bugghi:	A four wheeled carriage drawn by horses
Bugghikhana:	A garage for bugghis.
Chakdar:	Cultivators who acquired land by one year's cultivation.
Chakla:	A circle.

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GLOSSARY

Chhang:	A kind of beer made of corn.
Chilki:	Local currency of Kashmir State.
Chowkidar	Watchman.
Chungi:	Octroi.
Daftar-i-Diwani:	Civil Department.
Daftar-i-Nizamat:	Criminal Department.
Darbar:-	King's Court; also State Government viz. Maharaja with his Ministry.
Dastur-ul-Amal:	Regulations.
Dharmarth:	A State Department dealing with religious (Hindu) institutions.
Do-fasli:	Land yielding two crops in each agricultural year.
Doonga:	A large boat.
Ek fasli:	Land yielding one crop in each agricultural year.
Gaddi:	Throne.

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GLOSSARY

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Ghi: Clarified butter.

Gylpo: Native rulers who ruled Ladakh before the Dogras.

Hakim-i-Ala: Provincial Governors.

Hanji: A boatman.

Hundi: Promissory note.

Illaqa: Territory.

Irshad: The Royal Assignment.

Izad Boli: Auction.

Jagir: A grant of revenue usually made for service.

Jagirdar: Holder of a Jagir.

Kachau: A boat used for carrying stones, sand, lime, etc.

Kadal: bridge.

Kacharai: Grazing fee.

Kardar: A manager.

Kashtkar: A cultivator.

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GLOSSARY

Khalsa:	Revenue actually payable to the State.
Kharif:	The autumnal crop.
Kharwar:	A measure of land equal to four acres, also a measure of weight equal to approx 177 lbs.
Khillat:	A kind of award.
Kotwal:	City police officer.
Lumberdar:	A village headman.
Mahalat:	the palace.
Mehtar:	Title of the chief of chitral State.
Malia:	Land revenue.
Malkiat-i-Sarkar:	Ownership of the Government.
Malkiat-i-Zamindar:	Ownership of the cultivator.
Modikhana:	A Department which used to supply commodities for the kitchen of the Maharaja.
Muafi:	Exemption.

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GLOSSARY

Mustajir:	A bidder.
Muzawaza:	Land revenue in kind.
Naib:	Deputy or Assistant.
Nisbat:	A sub-division of *Tehsil*
Nazarana:	A kind of tribute.
Nazir:	A Judicial clerk.
Nazool:	State property.
Padshah:	A king
Pai:	A twelfth part of an anna.
Parwana:	A written pass.
Pashmina:	A kind of wool.
Patta:	A written grant.
Patwari:	A village accountant.
Phatak:	A fine on shepherds.
Rabi:	A spring harvest.
Rasum:	Perquisites.

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GLOSSARY

Ryatwari:	It was a settlement made directly with the cultivators.
Samvat:	Hindi year.
Sahukar:	Money lender.
Sazawal:	A revenue officer.
Singara:	Water-nuts.
Singara-kush:	Water-nut labourers.
Shaqdar:	A crop watchmen.
Shali:	Unhusked rice.
Shikara:	A small boat.
Taccavi:	An agricultural advance.
Tambol:	A money gift received or paid on auspicious functions.
Tarazudar:	Scaleman.
Tehsil:	A sub-division of a district.
Tehsildar:	Official incharge of a Tehsil.
Toshakhana:	A department of State where precious stones, jewellery etc. were kept.

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GLOSSARY

Trak:	A measure of weight equal to 6 seers.
Wadh:	Advance system.
Wazarat:	District.
Wazir-i-Wazarat:	Deputy Commissioner.
Waqf:	Religious grant (Muslim).
Wazir-i-Ala:	Provincial Governor.
Wuzra-i-Ala:	Provincial Governors.
Zialdar:	A Semi-official of circle of villages.

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[illegible]	It was a settlement made directly with the cultivators.
[illegible]	Hindi year.
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